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Friday
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November 6, 1987

Briefings on How To Use the Federal Register—
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THE FEDERAL REGISTER
WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 2 1/2 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WASHINGTON, DC

WHEN: November 20, at 9 a.m.
WHERE: National Archives and Records Administration, Room 410, 8th and Pennsylvania Avenue NW., Washington, DC.
RESERVATIONS: Robert D. Fox, 202-523-5239.

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Presidential Documents

Title 3—

The President

Proclamation 5735 of November 4, 1987

National Tourette Syndrome Awareness Week, 1987

By the President of the United States of America

A Proclamation

Tourette syndrome is a little-understood neurological disorder characterized by compulsive repetitive behaviors. Tic-like grimacing, shoulder-shrugging, sniffing, grunting, and coughing are common symptoms of the disorder; less frequent but perhaps more alarming symptoms include uncontrollable vocalizations, head-banging, and other involuntary self-destructive actions.

An estimated 100,000 Americans have Tourette syndrome to a noticeable degree. Those with tic disorders may number as high as 3.5 million. Symptoms appear in childhood, between the ages of 2 and 16 years, and wax and wane over time but do not seem to become progressively worse. Males are three times more likely to have the disorder than females.

Within the Federal government, the search for answers to why people get Tourette syndrome and what is behind its puzzling symptoms is led by the National Institute of Neurological and Communicative Disorders and Stroke (NINCDS). Research teams at NINCDS and grantee institutions, together with scientific colleagues in the private sector, are tracing and analyzing the suspected genetic basis for the syndrome. Aided by increasingly sophisticated techniques of brain imaging, they are determining the significance in Tourette patients of unusually low amounts of certain brain chemicals, called neurotransmitters, and investigating anatomical structures within the brain that may be affected. They are testing new drugs to control symptoms without causing depression and other serious side effects.

Crucial to the national research effort is the cooperation of patients with Tourette syndrome and their families, especially those allied with the Tourette Syndrome Association, Inc. This voluntary health agency provides advice and encouragement to patients coping not only with exhausting and painful physical problems, but also with the attendant damaging social and emotional problems. Because they cannot predict or control the vocalizations or movements that periodically overtake them, people with Tourette can be easy targets of misunderstanding and rejection. The Tourette Syndrome Association plays an essential role in educating the public about the disorder and about building acceptance and respect for those who refuse to allow the disorder to diminish their lives or restrict their contributions to society.

To further enhance public awareness of Tourette syndrome, the Congress, by Public Law 100–145, has designated the week of November 2 through November 8, 1987, as "National Tourette Syndrome Awareness Week" and authorized and requested the President to issue a proclamation in observance of that week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the week of November 2 through November 8, 1987, as National Tourette Syndrome Awareness Week. I call upon the people of the United States to observe that week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord nineteen hundred and eighty-seven, and of the Independence of the United States of America the two hundred and twelfth.

Ronald Reagan

[FR Doc. 87-25943
Filed 11-4-87; 10:26 am]
Billing code 3195-01-M

Rules and Regulations

Federal Register
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Friday, November 6, 1987

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 907

[Navel Orange Reg. 658]

Navel Oranges Grown in Arizona and Designated Part of California; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: Regulation 658 establishes the quantity of California-Arizona navel oranges that may be shipped to market during the period November 6 through November 12, 1987. Such action is needed to balance the supply of fresh navel oranges with the demand for such oranges during the period specified due to the marketing situation confronting the orange industry.

EFFECTIVE DATE: Regulation 658 (§ 907.958) is effective for the period November 6 through November 12, 1987.

FOR FURTHER INFORMATION CONTACT: Raymond C. Martin, Section Head, Volume Control Programs, Marketing Order Administrative Branch, F&V, AMS, USDA, Room 2528–S, P.O. Box 96456, Washington, DC 20090–6456; telephone: (202) 447–5120.

SUPPLEMENTARY INFORMATION: This final rule is issued under Marketing Order 907 (7 CFR Part 907), as amended, regulating the handling of navel oranges grown in Arizona and designated part of California. This order is effective under the Agricultural Marketing Agreement Act of 1937, as amended, hereinafter referred to as the Act.

This final rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512–1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of the use of volume regulations on small entities as well as larger ones.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 123 handlers of California-Arizona navel oranges subject to regulation under the navel orange marketing order, and approximately 4,065 producers in California and Arizona. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.2) as those having annual gross revenues for the last three years of less than $100,000, and small agricultural service firms are defined as those whose gross annual receipts are less than $3,500,000. The great majority of handlers and producers of California-Arizona navel oranges may be classified as small entities.

This action is consistent with the marketing policy for 1987–88 adopted by the Navel Orange Administrative Committee (Committee). The Committee met publicly on November 3, 1987, in Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended, by an 8 to 2 vote, a quantity of navel oranges deemed advisable to be handled during the specified week. The Committee reports that the market is very good.

Based on consideration of supply and market conditions, and the evaluation of alternatives to the implementation of prorate regulations, the Administrator of the AMS has determined that this final rule will not have a significant economic impact on a substantial number of small entities.

Pursuant to 5 U.S.C. 553, it is further found that it is impracticable, unnecessary and contrary to the public interest to give preliminary notice and engage in further public procedure with respect to this action and that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared purposes of the Act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. To effectuate the declared purposes of the Act, it is necessary to make this regulatory provision effective as specified, and handlers have been apprised of such provision and the effective time.

List of Subjects in 7 CFR Part 907

Marketing agreements and orders, California, Arizona, Oranges (navel).

For the reasons set forth in the preamble, 7 CFR Part 907 is amended as follows:

PART 907—[AMENDED]

1. The authority citation for 7 CFR Part 907 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

2. Section 907.958 is added to read as follows:

§ 907.958 Navel Orange Regulation 658.

The quantity of navel oranges grown in California and Arizona which may be handled during the period November 6, 1987, through November 12, 1987, are established as follows:

(a) District 1: 1,141,504 cartons;
(b) District 2: Unlimited cartons;
(c) District 3: 67,002 cartons;
(d) District 4: Unlimited cartons.

Dated: November 4, 1987.

Robert C. Keeney,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 87–25928 Filed 11–5–87; 8:45 am]
BILLING CODE 3410–01–M

7 CFR Part 910

[Lemon Reg. 586]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: Regulation 586 establishes the quantity of fresh California-Arizona lemons that may be shipped to market at 265,000 cartons during the period November 8 through November 14, 1987. Such action is needed to balance the supply of fresh lemons with market demand for the period specified, due to the marketing situation confronting the lemon industry.

EFFECTIVE DATE: Regulation 586 (§ 910.886) is effective for the period November 8 through November 14, 1987.

FOR FURTHER INFORMATION CONTACT: Ronald L. Cioffi, Chief, Marketing Order Administration Branch, F&V, AMS, USDA, Room 2523, South Building, P.O. Box 96456, Washington, DC 20090–6456; telephone: (202) 447–5697.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512–1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

The purpose of the RFA is to fit regulatory action to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Agricultural Marketing Agreement Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

This regulation is issued under Marketing Order No. 910, as amended (7 CFR Part 910) regulating the handling of lemons grown in California and Arizona. The order is effective under the Agricultural Marketing Agreement Act (the "Act", 7 U.S.C. 601–674), as amended. This action is based upon the recommendation and information submitted by the Lemon Administrative Committee and upon other available information. It is found that this action will tend to effectuate the declared policy of the Act.

This regulation is consistent with the marketing policy for 1987–88. The committee met publicly on November 3, 1987, in Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended, by an 11 to 1 vote, a quantity of lemons deemed advisable to be handled during the specified week. The committee reports that the market is good for large sized lemons, fair but improving for smaller sizes.

Pursuant to 5 U.S.C. 553, it is further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, and engage in further public procedure with respect to this action and that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared purposes of the Act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary, in order to effectuate the declared purposes of the Act, to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

List of Subjects in 7 CFR Part 910

Marketing agreements and orders, California, Arizona, Lemons.

For the reasons set forth in the preamble, 7 CFR Part 910 is amended as follows:

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

1. The authority citation for 7 CFR Part 910 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

2. Section 910.886 is added to read as follows:

§ 910.886 Lemon Regulation 586.

The quantity of lemons grown in California and Arizona which may be handled during the period November 8 through November 14, 1987, is established at 265,000 cartons.

Dated: November 4, 1987.

Robert C. Keeney,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 87–25927 Filed 11–5–87; 8:45 am]

BILLING CODE 3410–02–M

Food and Nutrition Service

7 CFR Parts 250 and 251

Donation of Foods for Use in United States, Its Territories and Possessions and Areas Under Its Jurisdiction; Temporary Emergency Food Assistance Program for Fiscal Year 1988

AGENCY: Food and Nutrition Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule amends the regulations governing the Temporary Emergency Food Assistance Program (7 CFR Part 251). It incorporates the nondiscretionary provisions of the recently enacted Stewart B. McKinney Homeless Assistance Act, Pub. L. 100–77. These amendments to Part 251 set forth the procedures for States to request additional flour, cornmeal and cheese and extend the program through September 30, 1988. In addition, the regulations governing the Food Distribution Program (7 CFR Part 250) are amended to extend the limitation on distribution fees, as required by Pub. L. 100–77.

EFFECTIVE DATE: This rule is effective November 6, 1987.

FOR FURTHER INFORMATION CONTACT: Susan Proden, Chief, Program Administration Branch, Food Distribution Division, Food and Nutrition Service, Park Office Center, Alexandria, Virginia 22302, Telephone (703) 756–3660.

SUPPLEMENTARY INFORMATION:

Classification

This action has been reviewed under Executive Order 12291 and has not been classified major because it does not meet any of the three criteria identified under the Executive Order. Compliance with the provisions in this rule will not have an annual effect on the economy of $100 million or more, nor will it cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions. This action will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This action has been reviewed with regard to the Regulatory Flexibility Act (5 U.S.C. 601–612). Anna Kondratas, Administrator of the Food and Nutrition Service (FNS), has certified that this

action will not have a significant economic impact on a substantial number of small entities.

This rule merely cites provisions of Pub. L. 100–77 which are nondiscretionary in that the provisions are prescribed by law and cannot be affected by public comment. For this reason, the Department has determined, in accordance with 5 U.S.C. 553(b), that a proposed rulemaking and prior public comment are unnecessary and contrary to public interest. Further, since this rulemaking merely reflects statutory provisions, it constitutes an interpretative rule for which notice and public comment are not required under 5 U.S.C. 553. Finally, since the statutory provisions were effective on the date of enactment of Pub. L. 100–77, July 22, 1987, and since the Department is issuing regulations on these matters only to provide an overall view of program policy, the Department has determined, in accordance with 5 U.S.C. 553(d), that good cause exists for making this rule effective prior to 30 days after publication.

The reporting and recordkeeping requirements for Part 251 were approved by OMB under Control Number 0584–0313 and 0584–0341. The recordkeeping and reporting requirements for Part 250 were approved by OMB under Control Number 0584–0007.

This program is listed in the Catalog of Federal Domestic Assistance under 10.568 and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials (7 CFR Part 3015, Subpart V and the final rule related notice published at 49 FR 22675, May 31, 1984).

Legislative Background

Title II, of Pub. L. 98–8, the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) (the "Act"), established the Temporary Emergency Food Assistance Program (TEFAP). The Act authorized the distribution of surplus agricultural commodities acquired through the Commodity Credit Corporation to various outlets for Fiscal Year 1983. It also authorized a $50 million appropriation for the cost of storage and distribution of commodities in that fiscal year.

The Act was subsequently amended, most recently by Pub. L. 100–77, the Stewart B. McKinney Homeless Assistance Act. Section 814 of Pub. L. 100–77 extends TEFAP through September 30, 1988 and section 813 authorizes a $50 million appropriation for State and local costs of storage and distribution of TEFAP commodities in Fiscal Year 1988. In addition, section 812 of Pub. L. 100–77 requires the Secretary, in certain cases, to make available through TEFAP additional quantities of cheese, flour and cornmeal. Cheese made available under this provision in Fiscal Year 1988 may not exceed 14 million pounds.

Regulatory Background

The TEFAP rules have been amended several times. The most current regulatory changes were published on April 16, 1986 (51 FR 12819) and May 13, 1987 (52 FR 17928). Together, these two publications contain the current Part 251 rules for TEFAP.

This final rule amends Part 251 to set procedures for States to request additional amounts of cheese, flour and cornmeal in TEFAP distribution. It also extends the authority for TEFAP through Fiscal Year 1988 in both Parts 250 and 251. The language of the rule changes as follows:

Distribution Fees

Section 250.6(j)(2) has been revised to extend the restriction on distribution charges through September 30, 1988 in accordance with section 814 of Pub. L. 100–77. Sction 250.6(j)(2) prohibits States from assessing recipient agencies fees in excess of the distributing agency's direct costs for storage and transportation minus any amount that the Department provides to the State to pay such costs. This provision applies to storage and transportation costs for commodities which are donated without charge or credit against an entitlement in any of the Department's nutrition programs.

Requests for Additional Commodities

In accordance with section 812 of Pub. L. 100–77, § 251.4 of the regulations has been revised to permit State agencies to request additional amounts of cheese, cornmeal, and flour at the request of the chief executive officer provided the chief executive officer of the State certifies to the Department that: (1) Individuals in the States who are eligible to receive commodities under this Part are not already receiving them under TEFAP or the number of unemployed individuals in the State has increased during the most recent 90–day period for which unemployment statistics are available prior to the date the certification is made; and (2) the distribution of additional amounts of these commodities will not substantially displace the commercial sale of such commodities within the State.

The Department will evaluate each request received and determine whether all conditions have been met prior to release of additional commodities. Additional commodities will be made available in Fiscal Year 1988 to the extent provided in advance in an appropriation Act and subject to the availability of the commodities.

List of Subjects

7 CFR Part 250

Aged, Agricultural commodities, Business and industry, Food assistance programs, Food donations, Food processing, Grant programs-social programs, Infants and children, Price support programs, Reporting and recordkeeping requirements, School breakfast and lunch programs, Surplus agricultural commodities.

7 CFR Part 251

Aged, Agricultural commodities, Businss and industry, Food assistance programs, Food donations, Grant programs-social programs, Indians, Infants and children, Price support programs, Reporting and recordkeeping requirements, School breakfast and lunch programs, Surplus agricultural commodities.

Accordingly, 7 CFR Part 250 and 7 CFR Part 251 are amended as follows:

PART 250—DONATIONS OF FOOD FOR USE IN THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS AND AREAS UNDER ITS JURISDICTION

1. The authority citation for Part 250 is revised to read as follows:

Authority: Sec. 32, Pub. L. 74–320, 49 Stat. 744 (7 U.S.C. 612c); Pub. L. 75–165, 50 Stat. 323 (15 U.S.C. 713c); secs. 6, 9, 60 Stat. 231, 233, Pub. L. 79–396, (42 U.S.C. 1775, 1758); sec. 416, Pub. L. 81–439, 63 Stat. 1058 (7 U.S.C. 1431); sec. 402, Pub. L. 91–665, 68 Stat. 843 (22 U.S.C. 1922); sec. 210, Pub. L. 84–540, 70 Stat. 202 (7 U.S.C. 1859); sec. 9, Pub. L. 85–931, 72 Stat. 1792 (7 U.S.C. 1431b); Pub. L. 86–756, 74 Stat. 899 (7 U.S.C. 1431nt); sec. 709, Pub. L. 89–321, 79 Stat. 1212 (7 U.S.C. 1446a–1); sec. 3, Pub. L. 90–302, 82 Stat. 117 (42 U.S.C. 1761); secs. 400, 410, Pub. L. 93–288, 88 Stat. 157 (42 U.S.C. 5179, 5180); sec. 2, Pub. L. 93–326, 88 Stat. 286 (42 U.S.C. 1762a); sec. 16, Pub. L. 94–105, 89 Stat. 522 (42 U.S.C. 1766); sec. 1304a, Pub. L. 95–113, 91 Stat. 980 (7 U.S.C. 612c nt); sec. 311, Pub. L. 95–478, 92 Stat. 1533 (42 U.S.C. 3030a); sec. 10, Pub. L. 95–627, 92 Stat. 3623 (42 U.S.C. 1760); sec. 1561, Pub. L. 99–198, 99 Stat. 1589; Pub. L. 100–77, 101 Stat. 536 (7 U.S.C. 612c note); 5 U.S.C. 301, unless otherwise noted.

§ 250–6 [Amended]

2. In § 250.6, paragraph (j)(2) is amended by removing the year "1987" from the first sentence and adding "1988" in its place.

PART 251—TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM FOR FISCAL YEAR 1988

1. The authority citation for Part 251 is revised to read as follows:

Authority: Pub. L. 98–8, as amended (7 U.S.C. 612c note).

2. In § 251.4, paragraph (d) is amended by adding two new sentences at the end and by adding the OMB control number to the end of the section to read as follows:

251.4 Availability of commodities.

* * * * *

(d) * * * To the extent provided in advance in an appropriation Act and subject to the availability of commodities, in Fiscal Year 1988 State agencies may request cheese, flour, or cornmeal in addition to the State's normal allocation (adjusted by any reallocation) if the chief executive officer of the State certifies to the Department that:

(i) Individuals in the State who are eligible to receive flour, cornmeal and cheese under this part are not already receiving them under this part or the number of unemployed individuals in the State has increased during the most recent 90-day period for which unemployment statistics are available prior to the date the certification is made; and

(ii) The distribution of additional amounts of flour, cornmeal and cheese will not substantially displace the commercial date of such commodities within the State.

Cheese made available under this section shall not exceed 14 million pounds.

* * * * *

(Approved by the Office of Management and Budget under control number 0584–0313 and 0584–0341)

Date: November 2, 1987.

Anna Kondratas

Administrator.

[FR Doc. 87–25746 Filed 11–15–87; 8:45 am]

BILLING CODE 3410-30-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Part 24

[Docket No. R–87–831; FR–1676]

Debarment, Suspension and Limited Denial of Participation; Contractors and Participants; Announcement of Effective Date

AGENCY: Office of the Secretary, HUD.

ACTION: Notice of announcement of effective date.

SUMMARY: This notice announces the effective date of an interim rule on Debarment, Suspension and Limited Denial of Participation; Contractors and Participants, published October 2, 1987 (52 FR 37112).

EFFECTIVE DATE: November 16, 1987.

FOR FURTHER INFORMATION CONTACT: Patricia M. Black, Assistant General Counsel for Inspector General and Administrative Proceedings, Department of Housing and Urban Development, Room 10266, 451 Seventh Street, SW., Washington, DC 20410, telephone (202) 755–7200. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On October 2, 1987, the Department published an interim rule for FR–1676—Debarment, Suspension and Limited Denial of Participation; Contractors and Participants (52 FR 37112). Under section 7(o)(3) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)(3), the interim rule could not become effective until the first period of 30 calendar days of continuous session of Congress occurring after the rule's publication. Accordingly, HUD stated that it would publish a notice of the effective date of the interim rule following the expiration of the 30-session-day waiting period. HUD also stated that whether or not the statutory waiting period had expired, the rule would not become effective until a separate notice was published in the Federal Register announcing the effective date.

Accordingly, HUD announces that the effective date for Debarment, Suspension and Limited Denial of Participation; Contractors and Participants, published October 2, 1987 (52 FR 37112), Docket No. R–87–831; FR–1676 is November 16, 1987.

Authority: Section 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Dated: October 29, 1987.

Grady J. Norris,

Assistant General Counsel for Regulations.

[FR Doc. 87–25798 Filed 11–5–87; 8:45 am]

BILLING CODE 4210-32-M

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Parts 201, 203, and 234

[Docket No. N–87–1747; FR–2419]

Mortgage Insurance; Changes to Maximum Mortgage Limits for Single Family Residences, Condominiums and Manufactured Homes and Lots

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice of revisions to FHA maximum mortgage limits for high-cost areas; and Corrections.

SUMMARY: This Notice amends the listing of areas eligible for "high-cost" mortgage limits under certain of HUD's insuring authorities under the National Housing Act by increasing the "high-cost" limits for the Shreveport, Louisiana MSA. Mortgage limits are adjusted in an area when the Secretary determines that middle- and moderate-income persons have limited housing opportunities because of high prevailing

housing sales prices. This notice also makes two corrections to the August 26, 1987 issue of the **Federal Register** (52 FR 32126): (1) To the maximum mortgage limits for the Providence, RI PMSA; which erroneously ascribed a mortgage limit of $85,850 to the entire PMSA when in fact it should have been ascribed only to Newport County within that PMSA: and (2) by adding the San Juan, Puerto Rico PMSA to the Caguas, Puerto Rico PMSA and establishing a maximum mortgage limit of $90,000 for a one-family and condominium unit for the San Juan-Caguas, PR CMSA.

EFFECTIVE DATE: November 6, 1987.

FOR FURTHER INFORMATION CONTACT: For single family: Morris Carter, Director, Single Family Development Division, Room 9270; telephone (202) 755–6720. For manufactured homes: Christopher Peterson, Director, Office of Manufactured Housing and Regulatory Functions, Room 9158; telephone (202) 755–5210; 451 Seventh Street SW., Washington, DC 20410. (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION:

Background

The National Housing Act (NHA), 12 U.S.C. (1710–1749), authorizes HUD to insure mortgages for single family residences (from one- to four-family structures), condominiums, manufactured homes, manufactured home lots, and combination manufactured home lots. The NHA, as amended by the Housing and Community Development Amendments of 1980 and the Housing and Community Development Amendments of 1981, permits HUD to increase the maximum mortgage limits under most of these programs to reflect regional differences in the cost of housing. In addition, sections 2(b) and 214 of the NHA provide for special high-cost limits for insured mortgages in Alaska, Guam and Hawaii.

On October 1, 1986 (51 FR 34961), the Department published its most recent annual complete listing of areas eligible for "high-cost" mortgage limits under certain of HUD's insuring authorities under the National Housing Act, and their applicable limits for each area.

This Document

Today's document increases the high-cost mortgage amounts for the Shreveport, Louisiana MSA, and makes two corrections to the maximum mortgage limits published on August 26, 1987 in the **Federal Register** (52 FR 32126). The first correction is the maximum mortgage limits for the Providence, RI PMSA, which erroneously ascribed a mortgage limit of $85,850 to the entire PMSA when that amount should have been made applicable only to Newport County within that PMSA. The mortgage limits for the other counties in the PMSA were correctly stated. The second correction adds the San Juan, PR PMSA to the Caguas, PR PMSA and establishes a maximum mortgage limit of $90,000 for a one-family and condominium unit for the San Juan-Caguas, PR CMSA.

The increases in maximum amounts for high-cost areas appear in two parts. Part I explains high-cost limits for mortgages insured under Title I of the National Housing Act. Part II lists changes for single family residences insured under section 203(b) or 234(c) of the National Housing Act.

Accordingly, the Department increases certain high-cost maximum amounts and makes corrections to previously published high-cost maximum amounts as set forth below:

1. Increases in certain high-cost amounts.

National Housing Act High Cost Mortgage Limits

I. Title I: Method of Computing Limits

A. *Section 2(b)(1)(D). Combination manufactured home and lot (excluding Alaska, Guam and Hawaii)*: To determine the high-cost limit for a combination manufactured home and lot loan, multiply the dollar amount in the "one family" column of Part II of this list by .80. For example, Caddo Parish, Louisiana has a one-family limit of $83,200. The combination home and lot loan limit for Caddo Parish, Louisiana is $83,200×.80, or $66,560.

B. *Section 2(b)(1)(E): Lot only (excluding Alaska, Guam and Hawaii)*: To determine the high-cost limit for a lot loan, multiply the dollar amount in the "one-family" column of Part II of this list by .20. For example, Caddo Parish, Louisiana has a one-family limit of $83,200. The lot only loan limit for Caddo Parish, Louisiana is $83,200×.20, or $16,640.

C. *Section 2(b)(2). Alaska, Guam and Hawaii limits*: The maximum dollar limits for Alaska, Guam and Hawaii may be 140% of the statutory loan limits set out in section 2(b)(1).

Accordingly, the dollar limits for Alaska, Guam and Hawaii are as follows:

1. For manufactured homes: $56,700. (40,500×140%).

2. For combination manufactured homes and lots: 75,600. ($54,000×140%).

3. For lots only: $18,900. (13,500×140%).

II. Title II:

Updating of FHA Sections 203(b), 234(c) and 214 Area Wide Mortgage Limits

REGION VI.—HUD FIELD OFFICE—SHREVEPORT OFFICE

Market area designation and local	1-family and condo unit	2-family	3-family	4-family
Caddo Parish	$83,200	$93,700	$113,900	$131,400
Bossier Parish	83,200	93,700	113,900	131,400

2. FR-Doc. 87–19592 appearing in the August 26, 1987, issue of the **Federal Register** (52 FR 32126) is corrected as follows:

REGION I.—HUD FIELD OFFICE—PROVIDENCE OFFICE

Market area designation and local	1-family and condo unit	2-family	3-family	4-family
Providence, RI PMSA:				
Newport County	$85,850	$96,700	$117,500	$135,550
Kent County	83,600	94,150	114,400	132,000
Bristol County	83,600	94,150	114,400	132,000
Washington County	83,600	94,150	114,400	132,000
Providence County	83,600	94,150	114,400	132,000

REGION II.—HUD FIELD OFFICE—CARIBBEAN OFFICE

Market area designation and local	1-family and condo unit	2-family	3-family	4-family
San Juan, PR PMSA	$90,000	$101,300	$122,650	$142,650
Barceloneta Municipio				
Bayamon Municipio				
Canovanas Municipio				
Carolina Municipio				
Catano Municipio				
Corozal Municipio				
Dorado Municipio				
Fajardo Municipio				
Florida Municipio				
Guaynabo Municipio				
Humacao Municipio				
Juncos Municipio				
Las Piedras Municipio				
Loiza Municipio				
Luquillo Municipio				
Manati Municipio				
Naranjito Municipio				
Rio Grande Municipio				
San Juan Municipio				
Toa Alta Municipio				
Toa Baja Municipio				
Trujillo Alto Municipio				
Vega Alta Municipio				
Vega Beja Municipio				
Caguas, PR PMSA:				
Aguas Buenas Municipio				
Caguas Municipio				
Cayey Municipio				
Cidra Municipio				
Gurabo Municipio				
San Lorenzo Municipio				

Date: October 26, 1987.

James E. Schoenberger,

General Deputy Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 87-25799 Filed 11-5-87; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 226

[DoD Instruction 4165.65]

Shelter for the Homeless Program

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: The Department of Defense is hereby issuing final rules that implement the DoD Shelter for the Homeless Program authorized by section 2546 of title 10, United States Code. These rules provide specific guidance to the Secretaries of the Military Departments and Installation Commanders as to the actions they may take to provide shelter and incidental services to persons without adequate shelter.

Subsection (a)(1) of the authorizing statute states that "[T]he Secretary of a military department may make military installations under his jurisdiction available for the furnishing of shelter to persons without adequate shelter." This language states clearly that the authority to establish a shelter may be exercised by the Secretary of a Military Department in a discretionary manner. The statute neither imposes an obligation on the Secretary to establish shelters, nor opens military installations to persons without shelter, beyond that which the Secretary deems advisable, taking into account the Department's responsibility to assure the nation's defense.

Additionally, the statute prohibits establishing shelters when the Secretary determines that the establishment of such a shelter will "* * * interfere with military preparedness or ongoing military functions." (10 U.S.C. 2546(c)) The proposed rules were drafted in an attempt to balance the Department's mission of providing for the national defense while accommodating the discretionary authority of the Secretary to provide shelter for persons without adequate shelter on military installations.

EFFECTIVE DATE: October 30, 1987.

FOR FURTHER INFORMATION CONTACT: Steven N. Kleiman, Director, The Homeless Assistance Program, Office of the Deputy Assistant Secretary of Defense (Installations), Room 3D812, The Pentagon, Washington, DC 20301-8000, Telephone: (202) 697-7475.

SUPPLEMENTARY INFORMATION: On May 11, 1987 DoD published proposed rules and requested comments by June 10, 1987. During the public comment period, two written comments were received; in addition, we received numerous phone requests for copies of the proposed rules.

The two written comments received addressed eight major points. Each of these points was considered and are discussed as follows:

1. Both commentators noted that the rules, as drafted, require that a state or local government be involved in the operation and staffing of shelters established under the DoD Shelter for the Homeless Program. While such state or local government may choose to affiliate itself with a charitable organization, the proposed rules do not permit a charitable organization to establish a shelter without the cooperation of the local government.

2. Both commentators proposed that the rules be modified to permit the establishment of a shelter by a charitable organization without the cooperation or approval of the state or local government. The Department

declines to adopt this suggestion. The DoD believes that this program can be implemented best when we have the cooperation of a state or local government and such organization works with DoD to provide shelter for the homeless. We believe this to be true for the following reasons:

—The Defense Department must be assured that the operator of the shelter is financially capable of operating a program over an extended period of time and maintaining the facility in the condition in which it was made available. DoD generally makes a considerable investment in renovating and repairing facilities so that shelters can be operated; it would be a considerable waste of federal tax revenues to renovate a building only to have the shelter open without a reasonable expectation that the shelter will operate for an extended period of time. The statute does not provide the authority for DoD to operate a shelter.

—Our installations are adjacent to the local community. If the local community and/or its elected officials do not favor the establishment of a shelter, then, as good neighbors, Defense would not proceed.

—Local laws may well prohibit the operation of a shelter in a particular location. Except in those cases where the land is held by the United States under exclusive federal legislative jurisdiction, the DoD must comply with state and local laws and rules governing shelter operations. We believe a single policy for establishing shelters in a particular locality is in the best interests of the DoD and the local community. Therefore, working with local governmental entities assures that approval is obtained for all local permits that may be required.

2. Both commentators noted that proposed Rule 226.3(f) provided an absolute prohibition on the establishment of shelters in certain designated areas and requested that the prohibition be lifted. The Department sees merit in the comment. Each installation represents a unique opportunity to establish a shelter and our installation commanders are in the best position to determine whether such a shelter can be operated in a manner compatible with the installation's mission. Nevertheless, some guidance should be provided. Accordingly, the proposed rule has been amended to delete the absolute prohibition; instead, the rules identify those areas that we believe merit special consideration.

3. One of the commentators suggested that since Defense has, in the past, permitted buildings with on-going military functions to be used as shelters, that this practice should be continued. The establishment of shelters in buildings that have on-going DoD functions has not worked. For example, our experience with a shelter at the Naval Recruit Center in Lawrence, MA over a three-year period resulted in the on-going military mission being severely hampered. There were numerous disturbances and incidents of vandalism resulting in an adverse impact on Navy recruiting efforts and Navy employee morale.

The vast majority of requests received to date indicate that shelter providers require exclusive use of a building, 24 hours a day, seven days a week. Reserve Centers are, at best, only available a couple of evenings per week and a couple of weekends per month. The establishment of a full-time or part-time shelter under these conditions would continue to interfere with the military mission on those evenings and/or weekends in which training and/or military exercises are being conducted. Nevertheless, should the establishment of a shelter in a building that contains a military mission be deemed by the Installation Commander as to not interfere with that mission, then the Installation Commander has sufficient latitude to recommend the operation of a shelter under this rule.

4. The commentators raised the question as to which individuals involved in the program had the authority to make recommendations about establishing shelters, review such recommendations, approve the recommendations, and decide what services could be provided. After review of the comments we believe the responsibilities are clear. Installation Commanders will receive requests to establish shelters. They will survey their installation and determine if an appropriate facility is available. They will forward the results of the survey and their recommendations to the senior manager of the Military Department appointed by the Secretary. This individual will approve or disapprove the request to establish a shelter under § 226.4(d)(2), or determine what other assistance may be provided.

5. One of the commentators suggested that the DoD establish a timetable to insure that decisions are made as expeditiously as possible. We agree. Accordingly, we have amended proposed § 226.14(d)(2) to insure that this process does not take longer than 30 days.

6. The commentators asked that the Department send notifications to Installation Commanders every six months to remind them that the Department has a Shelter for the Homeless Program. The Shelter Program is an on-going program of the Department similar in nature and scope to any other personnel, financial management, or contract management program. The Department, having once issued rules and operating procedures, does not advise Installation Commanders on a recurring basis of their responsibilities. It is inherent in the role of the Installation Commander that the individual be aware of, and responsible for, all programs of the Department of Defense. Therefore, it would be inappropriate to institute a procedure requiring newsletters and pronouncements about the Shelter for the Homeless Program.

7. One of the commentators noted that there is no guidance contained in the regulations directed at groups or organizations desirous of establishing a shelter for the homeless. Accordingly, we have added a new section that states that individuals wishing to establish a shelter for the homeless program should contact the local Installation Commander. We view our Shelter for the Homeless Program as inherently local in nature. Installation Commanders will not be involved in the operation of the shelter but are responsible for the land and facilities on which the shelters will be established. Such a request by a shelter operator will trigger a survey for available facilities at the base.

8. The Defense Department received a comment recommending that the proposed rules include a section on definitions. It was further suggested that the definitions be narrowly drawn to avoid unnecessary restrictions on the use of the program. We do not believe such definitions are necessary. The Department of Defense maintains military installations for the purpose of maintaining the military preparedness of our military forces. Installation Commanders and the Secretaries of the Military Departments have, as their foremost goal, the proper functioning of our Nation's military forces. Section 2546 of title 10 authorizes the Secretaries of the Military Departments to establish shelters but specifically prohibits them from establishing shelters when the establishment of such a shelter would interfere with military preparedness or on-going military functions. In today's environment, we must give great discretion to a decision maker charged with defending our nation, as to whether establishing shelters would intefere with military preparedness or on-going military functions. Each case, each installation, each request, must be judged on its own merits. The

Secretaries of the Military Departments and their Installation Commanders make difficult decisions balancing competing interests on a routine basis based on unique facts and circumstances. We cannot define in advance what circumstances may hamper the performance of their prime mission.

Regulatory Procedures

Executive Order No. 12291

The Secretary has determined that this is not a major rule under Executive Order 12291 because these regulations do not meet any of the threshold criteria for a major rule. Accordingly, a regulatory impact analysis under Executive Order No. 12291 is not required.

Paperwork Reduction Act of 1980

These regulations impose no additional reporting and recordkeeping requirement requiring OMB clearance.

Regulatory Flexibility Act

A regulatory flexibility analysis as provided in Pub. L. 96–354, the Regulatory Flexibility Act, is not required because these rules relate to the use of government facilities. Further, we certify that these rules will not have a significant economic impact on a substantial number of small entities because they affect only individuals or entities seeking to establish shelters for the homeless in federal facilities or individuals seeking shelter.

List of Subjects in 32 CFR Part 226

Housing, Military installations.

Accordingly, Title 32 of the Code of Federal Regulations, Chapter I is amended to add Part 226 as follows:

PART 226—SHELTER FOR THE HOMELESS

Sec.

226.1 Purpose.
226.2 Applicability.
226.3 Policy.
226.4 Responsibilities.
226.5 Effective date and implementation.

Authority: 10 U.S.C. 2546.

§ 226.1 Purpose.

This part implements 10 U.S.C. 2546 by establishing Department of Defense policy for the Department of Defense Shelter for the Homeless Program.

§ 226.2 Applicability.

This Part applies to the Office of the Secretary of Defense (OSD), the Military Departments (including their National Guard and Reserve components), the Unified and Specified Commands, the Defense Agencies, and Department of Defense Field Activities (hereafter referred to collectively as "Department of Defense Components").

§ 226.3 Policy.

(a) By Memorandum for the Secretaries of the Military Departments from the Secretary of Defense dated October 29, 1984, and entitled: "Shelter for the Homeless", the Secretary of Defense stated it is Department of Defense policy that shelters for the homeless may be established on military installations.

(b) The Secretary of a Military Department, or designee, may make military installations under his or her jurisdiction available for the furnishing of shelter to persons without adequate shelter in accordance with 10 U.S.C. 2546 and this part if he or she, or designee, determines that such shelter will not interfere with military preparedness or ongoing military functions.

(c) The Secretary of a Military Department, after determining that a shelter for the homeless may be established on a military installation, shall ensure that the plans for the shelter be developed in cooperation with appropriate State or local governmental entities and charitable organizations. The State or local government entity, either separately or in conjunction with the charitable organization, shall be responsible for operating and staffing any shelter established under the Shelter for the Homeless Program.

(d) Services that may be provided by a Military Department incident to the furnishing of shelter under 10 U.S.C. 2546 are the following:

(1) Utilities.
(2) Bedding.
(3) Security.
(4) Transportation.
(5) Renovation of facilities.
(6) Minor repairs undertaken specifically to make suitable space available for shelter to be provided in accordance with 10 U.S.C. 2546 and this part.
(7) Property liability insurance.

(e) The Military Departments should be especially sensitive to establishing shelters in the following areas:

(1) Family housing areas,
(2) Troop billeting areas,
(3) Service facilities such as commissaries, exchanges, dining facilities, hospitals, clinics, recreation centers, etc.,
(4) Safety arcs formed by firing ranges and impact areas,
(5) Frequently used training areas.

(f) Shelters for the homeless shall normally be established in only those facilities where the homeless will have exclusive use at all times. Shelters for the homeless shall normally not be established in facilities "shared" with military functions.

(g) In addition to providing shelter and incidental services, Department of Defense Components may provide bedding for support of shelters for the homeless that are located on other than Department of Defense real property. Bedding may be provided without reimbursement, but may only be provided to the extent that the provision of such bedding will not interfere with military requirements.

(h) Individuals or entities interested in establishing shelters on military installations shall:

(1) Submit a request to the Installation Commander where the shelter is desired, and

(2) Provide, at a minimum, the following data: The name and address of the organization that will operate the shelter, the name and address of the affiliated state or local governmental entity, numbers of people to be served, type of program, hours of operation, special needs of the people to be served, incidental services required, estimated date when the services are requested, estimate of when services will no longer be necessary, and what security provisions are to be provided (physical security).

§ 226.4 Responsibilities.

(a) The Deputy Assistant Secretary of Defense (Installations) shall:

(1) Administer the Homeless Assistance Program and issue such supplemental guidance as is necessary.

(2) Appoint an individual as Director, The Homeless Assistance Program, who shall be the Department of Defense program manager responsible for monitoring the Shelter for the Homeless program and answering all inquiries.

(b) The Assistance Secretary of Defense (Comptroller) shall provide guidance on the use of Department of Defense funds to finance the items issued in support of the Shelter for the Homeless program.

(c) The Secretaries of the Military Departments shall:

(1) Implement the Shelter for the Homeless program.

(2) Appoint a senior manager to monitor the Shelter for the Homeless program within that Department and to provide any assistance that may be required to the Deputy Assistant Secretary of Defense (Installations). Such official, after consultation with the

Director, The Homeless Assistance Program ODASD(I), shall approve or disapprove all requests to establish a Shelter for the Homeless in accordance with 10 U.S.C. 2546 and this Part.

(3) Ensure that upon receipt of a formal request for assistance, as defined in § 226.3(h) of this part, the Military Department concerned provides an appropriate response to the requester within 30 days.

(4) Ensure that each Installation Commander is informed about the Shelter for the Homeless Program and the types of assistance that they may provide as authorized by 10 U.S.C. 2546 and this part.

(d) Department of Defense Installation Commanders shall:

(1) Acknowledge all requests for assistance.

(2) Upon receipt of a request, initiate such action as is necessary to determine the availability of facilities at that installation for use as a shelter for the homeless.

(3) Forward each request, through the chain of command, to the Service Senior Manager with a copy to the DASD(I). The Installation Commander's recommendation shall accompany each request.

§ 226.5 Effective date and implementation.

This part is effective October 30, 1987. Forward one copy of implementing documents to the Deputy Assistant Secretary of Defense (Installations) within 60 days.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Dated: November 2, 1987.

[FR Doc. 87-25721 Filed 11-5-87; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 60, 62, 66, and 100

[CGD 86-031]

United States Aids to Navigation System

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The final rule publishes regulations which makes the United States Aids to Navigation System consistent with the International Association of Lighthouse Authorities (IALA) Maritime Buoyage System. It increases maritime safety and promotes a uniform international aids to navigation system by assuring United States participation in the IALA System. The final rule is required to inform U.S. mariners of the ongoing changes, and to eliminate unnecessary information from the present regulations. Minor changes are made to regulations concerning private aids to navigation and to regulations concerning regattas and marine parades to reflect changes to the U.S. Aids to Navigation System.

EFFECTIVE DATE: December 7, 1987.

FOR FURTHER INFORMATION CONTACT: Lieutenant Junior Grade G.R. Wulfkuhle, Office of Navigation (G-NSR-1), U.S. Coast Guard, Room 1416, 2100 Second Street SW., Washington, DC, 20593-0001. (202) 267-0349.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rulemaking was published in the April 9, 1987 issue of the **Federal Register** (52 FR 11506-11512). Two comments were received on the NPRM and considered before this rulemaking was published. These comments are discussed below.

Drafting Information

The principal persons involved in drafting this rulemaking are Lieutenant Junior Grade G.R. Wulfkuhle, Project Manager, and Lieutenant S.R. Sylvester, Project Attorney, Office of Chief Counsel.

Background

In 1982, the United States, along with most of the world's other maritime nations, became a party to the agreement which implemented the International Association of Lighthouse Authorities (IALA) Maritime Buoyage System. Called "one of the most outstanding accomplishments in the development of safey of navigation all over the world", the IALA Maritime Buoyage System promotes safety of navigation by establishing a worldwide harmonious buoyage system.

The United States began conversion of the U.S. Aids to Navigation System to harmonize with the IALA Maritime Buoyage System in 1985, and will complete the conversion for all Coast Guard maintained aids by 1989. The U.S. Aids to Navigation System has not changed in substance. It remains primarily a lateral aids to navigation system. The major changes are the introduction of the yellow Special Mark, the replacement of the black and white Midchannel aids by the red and white Safe Water Mark, and the changing of some aids to navigation signals—most notably green marks which replace the older black porthand marks. United States representatives played a major role in the adaptation of the IALA Maritime Buoyage System, and most of the changes were features which the U.S. had considered adopting prior to the IALA agreement. Widespread publicity and public education efforts have resulted in U.S. mariners already becoming familiar with the changes brought forth in the final rule. Those individuals, corporations, municipalities, or states maintaining private aids to navigation are required to bring the aids into conformity at the next scheduled maintenance period not later than December 1993.

Regulatory Evaluation

This rule is considered to be non-major under Executive Order 12291, and non-significant under the DOT regulatory policies and procedures (44 FR 11034 February 26, 1979). The economic impact of this proposed rule has been found to be so minimal that further evaluation is unnecessary. Only very minor requirements or cost burdens are placed on the public. Owners of private aids to navigation, as stated in Part 66 of this Title, will have to comply with the marking schemes cited here. These changes may be timed to coincide with regularly scheduled maintenance; however, they must be made by December 1993, so the economic impact should be negligible. The Coast Guard certifies that this rule has no significant economic impact on a substantial number of small entities. No reporting or record keeping measures are required by this proposal.

Discussion of Comments

One comment suggested that differing conditions on the Great Lakes make green buoys less visible than black buoys. The commenter requested that various shades of green be evaluated for optimal visibility and that, subsequently, different shades be employed in different areas. Extensive use of green buoys has shown that the reduction in detection range has not been a significant problem. This rulemaking does not prescribe a specific shade of green and is fully consistent with past and present Coast Guard evaluations of appropriate green shades.

The second comment suggested that only vessels have port and starboard sides and that it was therefore incorrect to refer to port and starboard sides of channels. This comment may be technically correct; the Coast Guard agrees that these terms have meaning only in relation to the sides of a vessel. But that is precisely how "port" and "starboard" are used in this rulemaking. We believe that it is both clear and consistent with traditional usage to describe, for example, marks which

should remain off the starboard side of a vessel proceeding in the Conventional Direction of Buoyage as "starboard hand marks" and to say that they indicate the "starboard side" of the channel.

Discussion of Regulation

Numerous nonsubstantive revisions in format and wording were incorporated into the final rule in the interest of clarity and accuracy. Section 62.29 was added to describe the isolated danger mark, an element of the IALA Maritime Buoyage System which has not yet been introduced into the U.S. Aids to Navigation System. Section 62.35 was added to encourage wider use of the Uniform State Waterway Marking System (USWMS) color scheme for mooring buoys. The proposed revision to § 66.01–10 inadvertently omitted the existing prohibition of electric light sources other than tungsten-incandescent. The final rule corrects this oversight. Sections 66.05–1, 66.05–20, and 66.10–1 were rewritten to correctly identify the former "lateral system" as the United States Aids to Navigation system and to clarify the relationship between this system and the USWMS.

List of Subjects

33 CFR Parts 60, 62 and 66

Navigation (water).

33 CFR Part 100

Marine safety, Navigation (water).

For the reasons set out in the preamble, Chapter I, Subchpater C, Parts 60, 62, 66 and 100, Title 33, Code of Federal Regulations are amended as follows:

PART 60—[REMOVED AND RESERVED]

1. Part 60 is removed and reserved.
2. Part 62 is revised to read as follows:

PART 62—UNITED STATES AIDS TO NAVIGATION SYSTEM

Subpart A—General

Sec.

62.1 Purpose.
62.3. Definition of terms.
62.5 Marking for marine parades and regattas.

Subpart B—The U.S. Aids to Navigation System

62.21 General.
62.23 Beacons and buoys.
62.25 Lateral marks.
62.27 Safe water marks.
62.29 Isolated danger marks.
62.31 Special marks.
62.33 Information and regulatory marks.
62.35 Mooring buoys.
62.37 Lighthouses.
62.39 Large navigational buoys.
62.41 Ranges.
62.43 Numbers and letters.
62.45 Light characteristics.
62.47 Sound signals.
62.49 Intracoastal Waterway identification.
62.51 Western rivers marking system.
62.53 Racons.

Subpart C—Maritime Radiobeacons

62.55 General.
62.57 Carrier type operation.
62.59 Calibration service.
62.61 Caution.

Subpart D—Public Participation in the Aids to Navigation System

62.63 Recommendations.
62.65 Procedure for reporting defects and discrepancies.

Authority: 14 U.S.C. 85; 33 U.S.C. 1233; 43 U.S.C. 1333(d); 49 CFR 1.46(b).

Subpart A—General

§ 62.1 Purpose.

(a) The Coast Guard administers the U.S. Aids to Navigation System. The system consists of Federal aids to navigation operated by the Coast Guard, aids to navigation operated by the other armed services, and private aids to navigation operated by other persons.

(b) The general characteristics of the U.S. Aids to Navigation System, and the details, policies and procedures employed by the Coast Guard in establishing, maintaining, operating, changing or discontinuing Federal aids to navigation are described in this part. Regulations concerning the marking of wrecks are found in Part 64. Regulations concerning private aids are found in Part 66. Regulations concerning the marking of artificial islands and structures which are erected on or over the seabed and subsoil of the Outer Continental Shelf of the United States or its possessions are found in Part 67. Regulations concerning the marking of bridges are found in Part 118 of this chapter.

(c) The Coast Guard maintains systems of marine aids to navigation consisting of visual, audible, and electronic signals which are designed to assist the prudent mariner in the process of navigation. The aids to navigation system is not intended to identify every shoal or obstruction to navigation which exists in the navigable waters of the United States, but rather provides for reasonable marking of marine features as resources permit. The primary objective of the aids to navigation system is to mark navigable channels and waterways, obstructions adjacent to these waterways, and obstructions in areas of general navigation which may not be anticipated. Other waters, even if navigable, are generally not marked.

§ 62.3 Definition of terms.

Certain terms as used in this subchapter are defined as follows:

(a) *Aid to Navigation.* The term aid to navigation means any device external to a vessel or aircraft intended to assist a navigator to determine position or safe course, or to warn of dangers or obstructions to navigation.

(b) *Commerce.* The term commerce, in addition to general, national and international trade and commerce of the United States, includes trade and travel by seasonal passenger craft (marine and air), yachts, houseboats, fishing boats, motor boats, and other craft, whether or not operated for hire or profit.

(c) *Commandant.* The term Commandant means the Commandant of the Coast Guard.

(d) *District Commander.* The term District Commander means the commander of a Coast Guard District. Coast Guard Districts are listed in Part 3 of this chapter.

(e) *Corps of Engineers.* The term Corps of Engineers means the Corps of Engineers, Department of the Army.

(f) *Person.* The term person imparts both singular or plural, as the case demands, and includes any Federal Agency, State, Territory, possession, or public subdivision thereof, the District of Columbia, and any corporation, company, association, club, or other instrumentality.

(g) *Navigable Waters of the United States.* The term Navigable waters of the United States is defined in § 2.05–25(a) of this part.

§ 62.5 Marking of marine parades and regattas.

(a) The Coast Guard may establish aids to navigation to mark marine parades and regattas which are regulated by the Coast Guard for the purpose of protecting life and property, or to assist in the observance and enforcement of special regulations. For marine parade and regatta regulations, see Part 100 of this chapter.

Subpart B—The U.S. Aids to Navigation System

§ 62.21 General.

(a) The navigable waters of the United States are marked to assist navigation using the U.S. Aids to Navigation System, a system in the process of conforming to the International Association of Lighthouse Authorities (IALA) Maritime Buoyage System. Since the system has not been implemented fully in U.S. waters, descriptions for the characteristics of the old system are added to the text in parentheses as

necessary. Until the conversion is complete, mariners should be familiar with both systems and aware that changes may not be reflected immediately on published charts. The IALA Maritime Buoyage System is followed by most of the world's maritime nations and will improve maritime safety by encouraging conformity in buoyage systems worldwide. IALA buoyage is divided into two regions made up of Region A and Region B. All navigable waters of the United States follow Region B, except U.S possessions west of the International Date Line and south of 10 degrees north latitude, which follow IALA Region A. Lateral aids to navigation in Region A vary from those described throughout this Subpart. Non-lateral aids to navigation are the same as those used in Region B. See section 62.25. Appropriate nautical charts and publications should be consulted to determine whether the Region A or Region B marking schemes are in effect for a given area.

(b) The U.S. Aids to Navigation System is designed for use with nautical charts. Nautical charts portray the physical features of the marine environment, including soundings and other submarine features, landmarks, and other aids necessary for the proper navigation of a vessel. This crucial information cannot be obtained from other sources, even ones such as topographic maps, aeronautical charts, or atlases. The exact meaning of an aid to navigation may not be clear to the mariner unless the appropriate chart is consulted, as the chart illustrates the relationship of the individual aid to navigation to channel limits, obstructions, hazards to navigation, and to the total aids to navigation system.

(c) The navigator should maintain and consult suitable publications and instruments for navigation depending on the vessel's requirements. This shipboard equipment is separate from the aids to navigation system, but is often essential to its use. The following publications are available from the U.S. Government to assist the navigator:

(1) The Light List, published by the Coast Guard and available through the Government Printing Office or authorized sales agents, lists federal and private aids to navigation. It includes all major Federal aids to navigation and those private aids to navigation, which have been deemed to be important to general navigation, and includes a physical description of these aids and their locations.

(2) The United States Coast Pilot, published by the National Ocean Service and available through that agency or authorized nautical chart sales agents, supplements the information shown on nautical charts. Subjects such as local navigation regulations, channel and anchorage peculiarities, dangers, climatalogical data, routes, and port facilities are covered.

(3) Local Notices to Mariners are published by local Coast Guard District Commanders. Persons may be placed on the mailing list to receive local Notices by contacting the Aids to Navigation and Waterway Management Branch of the appropriate Coast Guard District. These notices pass information affecting navigation safety. Changes to aids to navigation, reported dangers, scheduled construction or other disruptions, chart corrections and similar useful marine information is made available through this publication.

(4) The Notice to Mariners is a national publication similar to the Local Notice to Mariners, published by the Defense Mapping Agency, and available by writing: Director, Defense Mapping Agency, Office of Distribution Services, Code IMA, Washington, DC 20315–0010. A letter of justification should be included in the request. This publication provides ocean going vessels significant national and international navigation and safety information.

(5) The mariner should also listen to Coast Guard Broadcast Notices to Mariners. These broadcasts update the Local Notice to Mariners with more timely information. Mariners should monitor VHF–FM channel 16 to locate Coast Guard Marine Information Broadcasts.

(d) The U.S. Aids to Navigation System is primarily a lateral system which employs a simple arrangement of colors, shapes, numbers, and light characteristics to mark the limits of navigable routes. This lateral system is supplemented by nonlateral aids to navigation where appropriate.

(e) Generally, lateral aids to navigation indicate on which side of a vessel an aid to navigation should be passed when the vessel is proceeding in the Conventional Direction of Buoyage. Normally, the Conventional Direction of Buoyage is the direction in which a vessel enters navigable channels from seaward and proceeds towards the head of navigation. In the absence of a route leading from seaward, the Conventional Direction of Buoyage generally follows a clockwise direction around land masses. For example, proceeding southerly along the Atlantic Coast, from Florida to Texas along the Gulf Coast, and northerly along the Pacific Coast are considered as proceeding in the Conventional Direction of Buoyage. In some instances, this direction must be arbitrarily assigned. Where doubt exists, the mariner should consult charts and other nautical publications.

(f) Although aids to navigation are maintained to a reasonable degree of reliability, the rigors of the marine environment and various equipment failures do cause discrepancies on occasion.

(g) The Coast Guard makes reasonable efforts to inform the navigator of known discrepancies, and to correct them within a reasonable period of time, depending upon resources available. Occasionally, a Temporary aid to navigation, which provides different but similar service, is deployed until permanent repairs can be made to the original aid. Notification of such temporary changes is made through the notice to mariners system.

§ 62.23 Beacons and buoys.

(a) Aids to navigation are placed on shore or on marine sites to assist a navigator to determine his position or safe course. They may mark limits of navigable channels, or warn of dangers or obstructions to navigation. The primary components of the U.S. Aids to Navigation System are beacons and buoys.

(b) Beacons are aids to navigation structures which are permanently fixed to the earth's surface. They range from large lighthouses to small, single-pile structures and may be located on land or in the water. Lighted beacons are called lights; unlighted beacons are called daybeacons.

(1) Beacons exhibit a daymark. For small structures these are colored geometric shapes which make an aid to navigation readily visible and easily identifiable against background conditions. Generally, the daymark conveys to the mariner, during daylight hours, the same significance as does the aid's light or reflector at night. The daymark of large lighthouses and towers, however, consists of the structure itself. As a result, these daymarks do not infer lateral significance.

(2) Vessels should not pass beacons close aboard due to the danger of collision with rip-rap or structure foundations, or the obstruction or danger that the aid marks.

(c) Buoys are floating aids to navigation used extensively throughout U.S. waters. They are moored to the seabed by sinkers with chain or other moorings of various lengths.

(1) The daymark of a buoy is the color and shape of the buoy and, if so equipped, of the topmark.

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(i) Can buoys have a cylindrical shape.

(ii) Nun buoys have a tapered, conical shape.

(iii) Pillar buoys have a wide cylindrical base supporting a narrower superstructure. They may be surmounted by colored shapes called topmarks.

(iv) Spherical buoys have a round shape.

(2) Mariners attempting to pass a buoy close aboard risk collision with a yawing buoy, the buoy's mooring, or with the obstruction which the buoy marks.

(3) Mariners should not rely on buoys alone for determining their positions due to factors limiting the reliability. Prudent mariners will use bearings or angles from beacons or other landmarks, soundings, and various methods of electronic navigation. Buoys vary in reliability because:

(i) Buoy positions represented on nautical charts are approximate positions only, due to practical limitations in positioning and maintaining buoys and their sinkers in precise geographical locations.

(ii) Buoy moorings vary in length. The mooring lengths define a "watch circle", and buoys can be expected to move within this circle. Actual watch circles do not coincide with the dots or circles representing them on charts.

(iii) Buoy positions are normally verified during periodic maintenance visits. Between visits, environmental conditions, including atmospheric and sea conditions, and seabed slope and composition, may shift buoys off their charted positions. Also buoys may be dragged off station, sunk, or capsized by a collision with a vessel.

§ 62.25 Lateral marks.

(a) Lateral marks define the port and starboard sides of a route to be followed. They may be either beacons or buoys.

(b) Sidemarks are lateral marks which advise the mariner to stay to one side of the mark. Their most frequent use is to mark the sides of channels; however, they may be used individually to mark obstructions outside of clearly defined channels. Sidemarks are not always placed directly on a channel edge and may be positioned outside the channel as indicated on charts and nautical publications.

(1) Port hand marks indicate the left side of channels when proceeding in the Conventional Direction of Buoyage. Beacons have green square daymarks, while buoys are green (black) can or pillar buoys.

(2) Starboard hand marks indicate the right side of channels when proceeding in the Conventional Direction of Buoyage. Beacons have red triangular daymarks, while buoys are red nun or pillar buoys.

(c) Preferred channel marks indicate channel junctions or bifurcations and may also mark wrecks or obstructions which the mariner, after consulting a chart to ascertain the location of the obstruction relative to the aid, may pass on either side. Preferred channel marks have red and green (black) horizontal bands with the color of the topmost band indicating the preferred channel. If the topmost band is green (black), the mark serves as a port hand mark for vessels following the preferred channel proceeding in the Conventional Direction of Buoyage, and as a starboard hand mark for the other channel. Beacons would have square daymarks, while buoys would be can or pillar buoys. If the topmost band is red, the mark serves as a starboard hand mark for vessels following the preferred channel proceeding in the Conventional Direction of Buoyage, and a port hand mark for the other channel. Beacons would have triangular daymarks, while buoys would be nun or pillar buoys.

(d) The above color schemes apply to IALA Region B. Marks located in the IALA Region A exhibit reversed color significance: port hand marks will be red when following the Conventional Direction of Buoyage, and starboard hand marks will be green. The meaning of daymark and buoy shapes is identical in both regions.

(e) Certain marks on the Intracoastal Waterway may exhibit reversed lateral significance. See § 62.49.

§ 62.27 Safe water marks.

Safe water marks indicate that there is navigable water all around the mark. They are often used to indicate fairways or midchannels, or the seaward end of channels. Safe water marks are colored with red (black) and white vertical stripes. Beacons have an ocagonal daymark; red and white buoys are spherical or display a red spherical topmark.

§ 62.29 Isolated Danger Marks.

Isolated Danger Marks indicate an isolated danger which may be passed on all sides. As these marks are erected or moored on or near dangers, they should not be approached closely without special caution. These marks are colored black with one or more broad horizontal red bands and are equipped with a topmark of two black spheres, one above the other. Isolated Danger Marks will be introduced into the U.S. Aids to Navigation System after all preferred channel marks showing red and black bands have been converted to display red and green bands.

§ 62.31 Special Marks.

Special marks are not primarily intended to assist safe navigation, but to indicate special areas or features referred to in charts or other nautical publications. They may be used, for example, to mark anchorages, cable or pipeline areas, traffic separation schemes, military exercise zones, ocean data acquisition systems, etc. Special marks are colored solid yellow.

§ 62.33 Information and regulatory marks.

Information and Regulatory Marks are used to alert the mariner to various warnings or regulatory matters. These marks have orange geometric shapes against a white background. The meanings associated with the orange shapes are as follows:

(a) A vertical open-faced diamond signifies danger.

(b) A vertical diamond shape having a cross centered within indicates that vessels are excluded from the marked area.

(c) A circular shape indicates that certain operating restrictions are in effect within the marked area.

(d) A square or rectangular shape will contain directions or instructions lettered within the shape.

§ 62.35 Mooring buoys.

Mooring Buoys are white with a blue horizontal band. This distinctive color scheme is recommended to facilitate identification and to avoid confusion with aids to navigation.

§ 62.37 Lighthouses.

Lighthouses are prominent beacons of varying size, color, and appearance employed to mark headlands, landfalls, harbor entrances, channel edges, hazards, and other features. While normally identified by their distinctive appearance, some lighthouses display diamond shaped, checkered daymarks to facilitate recognition.

§ 62.39 Large navigational buoys.

Large Navigational Buoys (LNB's) may be considered floating lighthouses. They generally provide light, sound, and radiobeacon signals, and some are equipped with radar beacons (racons). LNB's are red in color, have a forty foot diameter hull, and a tower approximately forty feet in height.

§ 62.41 Ranges.

Ranges are aids to navigation systems employing dual beacons which, when

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the structures appear to be in line, assist the mariner in maintaining a safe course. The appropriate nautical chart must be consulted when using ranges to determine whether the range marks the centerline of the navigable channel and also to ascertain that section of the range may be safety traversed. Ranges are generally, but not always, lighted, and display rectangular daymarks of various colors.

§ 62.43 Numbers and letters.

(a) All solid red and solid green (or black) aids are numbered, with red aids bearing even numbers and green (or black) aids bearing odd numbers. The numbers for each increase in the Conventional Direction of Buoyage. Numbers are kept in approximately sequence on both sides of the channel by omitting numbers where necessary.

(b) Only sidemarks are numbered. However, aids other than those mentioned above may be lettered to assist in their identification, or to indicate their purpose. Sidemarks may carry letters in addition to numbers to identify the first aid to navigation in a waterway, or when new aids to navigation are added to channels with previously completed numerical sequences. Letters on sidemarks will follow alphabetical order from seaward and proceeding toward the Conventional Direction of Buoyage and will be added to numbers as suffixes.

(c) Aids to navigation may be fitted with light-reflecting material to increase their visibility in darkness. The colors of this material may convey the same significance as the aid except that letters and numbers may be white.

(d) Exceptions to the provisions of this section will be found on the Western Rivers System. See §62.51.

(e) The guidelines for the display of numbers and letters on aids to navigation are identical for both Region A and Region B; red aids to navigation display even numbers, and green (or black) aids display odd numbers.

§ 62.45 Light characteristics.

(a) Lights on aids to navigation are differentiated by color and rhythm. Lighthouses and range lights may display distinctive light characteristics to facilitate recognition. No special significance should be attached to the color or rhythm of such lights. Other lighted aids to navigation employ light characteristics to convey additional information.

(b) When proceeding in the Conventional Direction of Buoyage, aids to navigation, if lighted, display light characteristics as follows:

(1) Green (or white) lights mark port (left) sides of channels and locations of wrecks or obstructions which are to be passed by keeping these lights on the port (left) hand of a vessel. Green lights are also used on Preferred Channel Marks where the topmost band is green (or black).

(2) Red (or white) lights mark starboard (right) sides of channels and locations of wrecks or obstructions which are to be passed by keeping these lights on the starboard (right) hand of a vessel. Red lights are also used on Preferred Channel Marks where the topmost band is red.

(3) Certain lights marking the Intracoastal Waterway may display reversed lateral significance. See § 62.49.

(c) Yellow lights have no lateral significance. Except on the Western Rivers, see § 62.51, white lights have no lateral significance. The purpose of aids exhibiting white or yellow lights may be determined by their shape, color, letters or numbers, and the light rhythm employed.

(d) Light rhythms, except as noted in § 62.51 for the Western Rivers, are employed as follows:

(1) Aids with lateral significance display regularly flashing or regularly occulting light rhythms. Ordinarily, flashing lights (frequency not exceeding 30 flashes per minute) will be used.

(2) Preferred Channel Marks display a composite group flashing light rhythm (groups of two flashes followed by one flash).

(3) Safe Water Marks display a white Morse Code "A" rhythm (short-long flash).

(4) Isolated Danger Marks display a white group flashing two.

(5) Special Marks display yellow (or white or amber) lights with fixed or slow flashing rhythm preferred.

(6) Information and Regulatory Marks display white lights of various rhythms.

(7) For situations where lights require a distinct cautionary significance, as at sharp turns, sudden channel constrictions, wrecks, or obstructions, a quick flashing light rhythm (60 flashes per minute) may be used.

(e) Occasionally lights use sectors to mark shoals or warn mariners of other dangers. Lights so equipped show one color from most directions and a different color or colors over definite arcs of the horizon as indicated on the appropriate nautical chart. These sectors provide approximate bearing information since the observer should note a change of color as the boundary between the sectors is crossed. As sector bearings are not precise, they should be considered a warning only and not used to determine exact bearing to the light.

(f) Aids to navigation may be fitted with light-reflecting material to increase their visibility in darkness. Green or red reflective material is used only on marks which, if lighted, would exhibit a light of that color. Yellow reflective material is used on special marks and on Intracoastal Waterway marks. No significance is attached to white reflective material.

§ 62.47 Sound signals.

(a) Often sound signals are located on or adjacent to aids to navigation. When visual signals are obscured, sound signals warn mariners of the proximity of danger.

(1) Sound signals are distinguished by their tone and phase characteristics.

(i) Tones are determined by the devices producing the sound (i.e., diaphones, diaphragm horns, reed horns, sirens, whistles, bells and gongs).

(ii) Phase characteristics are defined by the signal's sound pattern, i.e., the number of blasts and silent periods per minute and their durations. Sound signals emanating from fixed structures generally produce a specific number of blasts and silent periods each minute when operating. Buoy sound signals are generally actuated by the motion of the sea and therefore do not emit a regular signal characteristic.

(2) Where no live watch is maintained, sound signals are normally operated continuously. However, some are equipped with fog detectors which activate sound signals when visibility falls below a predetermined limit.

(b) Mariners should not rely solely on sound signals to determine their positions for the following reasons:

(1) Distance cannot be accurately determined by sound intensity.

(2) Occasionally sound signals may not be heard in areas close to their location.

(3) Signals may not sound in cases where fog exists close to, but not at, the location of the sound signal.

(4) As buoy signals are generally activated by sea motion, they may produce no signals when seas are calm.

(5) As previously noted, buoy positions are not always reliable. Therefore their sound signals cannot be assumed to be emanating from a fixed position.

§ 62.49 Intracoastal Waterway identification.

(a) In addition to the conventional signals, aids to navigation marking the Intracoastal Waterway exhibit unique

yellow symbols to distinguish them from aids marking other waters.

(1) Yellow triangles indicate that aids to navigation so marked should be passed keeping them on the starboard (right) hand of a vessel, regardless of the aid's number, color, or light color.

(2) Yellow squares indicate that aids to navigation so marked should be passed keeping them on the port (left) hand of a vessel, regardless of the aid's number, color, or light color.

(3) A horizontal yellow band provides no lateral information, but simply identifies aids to navigation as marking the Intracoastal Waterway.

(b) The above guidelines apply for vessels traversing the Intracoastal Waterway in a southerly direction on the Atlantic Coast, in a westerly direction on the Okeechobee Waterway, or in a northerly and westerly direction along the Gulf Coast.

§ 62.51 Western Rivers Marking System.

(a) A variation of the standard U.S. aids to navigation system described above is employed on the Mississippi River and tributaries above Baton Rouge, LA and on certain other rivers which flow toward the Gulf of Mexico.

(b) The Western Rivers System varies from the standard U.S. system as follows:

(1) Buoys are not numbered.

(2) Numbers on beacons do not have odd/even lateral significance but, rather, indicate mileage from a fixed point (normally the river mouth).

(3) Diamond shaped crossing daymarks, solid red or solid green as appropriate, are used instead of triangular or square lateral daymarks where the river channel crosses from one bank to the other.

(4) Lights on green buoys and on beacons with green daymarks show a single flash which may be green or white.

(5) Lights on red buoys and on beacons with red daymarks show a double flash [Group Flashing (2)] which may be red or white.

(6) Isolated danger marks are not used.

§ 62.53 Racons.

(a) Aids to navigation may be enhanced by the use of radar beacons (racons). Racons, when triggered by a radar signal, will transmit a coded reply to the interrogating radar. This reply serves to identify the aid station by exhibiting a series of dots and dashes which appear on the radar display in a line emanating radially from just beyond the echo of the aid station. Although racons may be used on both laterally significant and non-laterally significant aids alike, the racon signal itself is for identification purposes only, and therefore carries no lateral significance.

(b) Racons are also used as bridge marks to mark the best point of passage.

Subpart C—Maritime Radiobeacons

§ 62.55 General.

Maritime radiobeacons operate during specific intervals as published in Coast Guard Light Lists. For station identification, simple characteristics consisting of combinations of dots and dashes are used. The characteristics of marker-beacons are composed of series of dashes for part of a 15 second cycle, which is followed by a silent period to complete the cycle. The transmitted power of maritime radiobeacons is adjusted to provide a useable signal at the service range which meets the operational requirement. Marker-beacons are of low power for local use only. Coast Guard maritime radiobeacons operate within the frequency band 275–335 kilohertz.

§ 62.57 Carrier type operation.

Radiobeacons superimpose the characteristic code on a carrier frequency which is on continuously during the period of transmission.This extends the usefulness of maritime radiobeacons to aircraft and ships employing automatic direction finders.

§ 62.59 Calibration service.

Special calibration radiobeacons, as listed in the current editions of the Coast Guard Light Lists, will broadcast continuously for the purpose of enabling vessels to calibrate their direction finders upon request either to the cognizant District Commander, or, if time does not permit, directly to the calibration station. Signals for requesting calibration service are described in the current editions of the Coast Guard Light Lists. In the case of sequenced radiobeacon stations, continuous transmission for calibration purposes cannot be made without interference resulting with other stations in the same frequency group.

§ 62.61 Caution.

(a) A vessel steering a course for a radiobeacon should observe the same precautions that apply when steering for a light or any other mark.

(b) Distance cannot be accurately determined by radiobeacon signal. Mariners must exercise extreme caution when the aid to navigation which supports the radiobeacon is not visible, and no other means of determining its distance is available.

(c) If the radiobeacon is aboard a Large Navigational Buoy (LNB) or on any marine site, particular care should be exercised to avoid the possibility of collision. In addition, caution should be exercised in using radiobeacons aboard floating aids, because of the possibility that the aid could be off station.

Subpart D—Public Participation in the Aids to Navigation System

§ 62.63 Recommendations.

(a) The public may recommend changes to existing aids to navigation, request new aids or the discontinuation of existing aids, and report aids no longer necessary for maritime safety. These recommendations should be sent to the appropriate District Commander.

(b) Recommendations, requests and reports should be documented with as much information as possible to justify the proposed action. Desirable information includes:

(1) Nature of the vessels which transit the area(s) in the question, including type, displacement, draft, and number of passengers and crew.

(2) Where practicable, the kinds of navigating devices used aboard such vessels (e.g, magnetic or gyro compasses, radio direction finders, radar, loran, and searchlights).

(3) A chartlet or sketch describing the actual or proposed location of the aid(s), and a description of the action requested or recommended.

§ 62.65 Procedure for reporting defects and discrepancies.

(a) Mariners should notify the nearest Coast Guard facility immediately of any observed aids to navigation defects or discrepancies.

(b) The Coast Guard cannot monitor the many thousands of aids in the U.S. Aids to Navigation System simultaneously and continuously. As a result, it is not possible to maintain every aid operating properly and on its charted position at all times. Marine safety will be enhanced if persons finding aids missing, sunk, capsized, damaged, off station, or showing characteristics other than those advertised in the Light List, or other publication, promptly inform the Coast Guard. When making the report to the Coast Guard the mariner should consult the Light List to ensure the correct geographical information is used due to the similarity of names and geographical areas.

(c) Procedures for reporting defects and discrepancies:

(1) *Radio messages* should be prefixed "Coast Guard" and transmitted directly to a Government shore radio station listed in Chapter five, Section 500D of

Radio Navigational Aids Publication, 117A and 117B, for relay to the relevant District Commander.

(2) *Radio-telegraph* communication may be established by using the general call "NCG" on the 500 kilohertz frequency.

(3) *Commercial communications facilities* should be used only when vessels are unable to contact a Government shore radio station. Charges for these messages will be accepted "collect" by the Coast Guard.

PART 66—[AMENDED]

3. The authority citation for Part 66 is revised to read as follows:

Authority: 14 U.S.C. 83, 85,; 43 U.S.C. 1333; 49 CFR 1.46.

4. Section 66.01–10 is revised to read as follows:

§ 66.01–10 Characteristics.

(a) The characteristics of a private aid to navigation shall conform to the United States Aids to Navigation System described in Subpart B of Part 62 of this subchapter, except that only tungsten-incandenscent light sources will be approved for electric lights.

(b) Owners of previously authorized, but nonconforming, private aids to navigation must bring such aids to navigation into conformance with the U.S. Aids to Navigation System not later than December 31, 1993.

5. Section 66.05–1 is revised to read as follows:

§ 66.05–1 Purpose.

(a) The purpose of the regulations in this subpart and subpart 66.10 of this part is to prescribe the conditions under which State governments may regulate aids to marine navigation, including regulatory markers, owned by State or local governments or private parties, in navigable waters of the United States not marked with aids by the Federal Government; and to prescribe a uniform system of marine aids to navigation compatible with the United States Aids to Navigation System described in Part 62 of this subchapter.

6. Section 66.05–20 is revised to read as follows:

§ 66.05–20 Coast Guard-State agreements.

(a) The District Commander in whose District a waterway is located may enter into agreements with State Administrators permitting a State to regulate aids to navigation, including regulatory markers, in State waters for private aids to navigation, as, in the opinion of the District Commander, the State is able to do in a manner to improve the safety of navigation. When a waterway is located within the area of jurisdiction of more than one Coast Guard District, the District Commander in whose District the State capital is located shall execute the agreement in behalf of the Coast Guard. All such agreements shall reserve to the District Commander the right to inspect the State aids to navigation without prior notice to the State. They shall stipulate that State aids to navigation will conform to the Uniform State Waterway marking System or to the U.S. Aids to Navigation System and that the State Administrator will modify or remove State aids to navigation without expense to the United States when so directed by the District Commander, subject to the right of appeal on the part of the State Administrator to the Commandant.

(b) A Coast Guard-State agreement shall become effective when both parties have signed the agreements. In lieu of the procedure prescribed in § 66.01–5, the agreement shall constitute blanket approval by the Commandant, of the State aids to navigation, including regulatory markers, established or to be established in State waters for private aids to navigation designated or to be designated by the Commandant.

(c) In addition to the matters set forth in paragraph (a) of this section, Coast Guard-State agreements shall cover the following points, together with such other matters as the parties find it desirable to include:

(1) A description, in sufficient detail for publication in Notices to Mariners, of all aids to navigations under State jurisdiction in navigable waters of the United States in existence prior to the effective date of the agreement which have not been previously approved under procedures of § 66.01–5.

(2) Procedures for use by the State administrator to notify the District Commander of changes made in State aids to navigation, as required by § 66.05–25.

(3) Specification of the marking system to be used, whether the U.S. Aids to Navigation System or the Uniform State Waterway Marking System.

(4) Specification of standards as to minimum size and shape of markers, the use of identifying letters, the use of reflectors or retroreflective materials, and any other similar standards so as to enable Coast Guard inspectors to determine compliance with Statewide standards.

7. Section 66.10–1 is revised to read as follows:

§ 66.10–1 General.

(a) The Uniform State Waterway Marking System (USWMS) was developed to convey to the small vessel operator, in particular, adequate guidance to indicate safe boating channels by indicating the presence of either natural or artificial obstructions or hazards, marking restricted or controlled areas, and providing directions. The USWMS may be used in those navigable waters of the U.S. which have been designated as State waters for private aids to navigation and in those internal waters which are not navigable waters of the U.S.

(b) The U.S. Aids to Navigation System, described in Part 62 of this Subchapter, may be used in all U.S. waters, including those waters under State jurisdiction.

(c) The USWMS consists of:

(1) A system of regulatory markers to indicate to a vessel operator the existence of dangerous areas as well as those which are restricted or controlled, such as speed zones and areas dedicated to a particular use, or to provide general information and directions;

(2) A system of aids to navigation to mark channels and obstructions; and

(3) A distinctive color scheme for mooring buoys.

PART 100—[AMENDED]

8. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, 49 CFR 1.46 and 33 CFR 100.35.

9. Section 100.45 is revised to read as follows:

§ 100.45 Establishment of aids to navigation.

The District Commander will establish and maintain only those aids to navigation necessary to assist in the observance and enforcement of the special regulations issued under the District Commander's authority. These aids to navigation will be in accordance with Part 62 of this chapter. All other aids to navigation incidental to the holding of a regatta or marine parade are private aids to navigation as described in Part 66 of this chapter.

Dated: November 2, 1987.

Martin H. Daniell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Navigation.

[FR Doc. 87–25713 Filed 11–5–87; 8:45 am]

BILLING CODE 4910–14–M

33 CFR Part 117

[CGD7-87-19]

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the City of Deerfield Beach, the Coast Guard is changing regulations governing the Hillsboro Boulevard (SR 810) bridge at Deerfield Beach by extending the days and hours during which bridge openings are limited. This change is being made because of complaints about highway traffic delays. This action will accommodate the current needs of vehicular traffic and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effective on December 7, 1987.

FOR FURTHER INFORMATION CONTACT: Mr. Brodie Rich, telephone (305) 536–4103.

SUPPLEMENTARY INFORMATION: On June 22, 1987, the Coast Guard published proposed rules (52 FR 23472) concerning this amendment. The Commander, Seventh Coast Guard District, also published the proposal as a Public Notice dated June 25, 1987. In each notice, interested persons were given until August 6, 1987, to submit comments.

Drafting Information

The drafters of these regulations are Mr. Brodie Rich, project officer, and Lieutenant Commander S. T. Fuger, Jr., project attorney.

Discussion of Comments

49 comments were received. Fourteen supported the proposal or expressed no objection. Two opposed any change to existing requirements, three wanted 20 minute interval openings each hour, and thirty supported the City of Deerfield Beach's request to open the bridge on the hour and half hour seven days a week, year round. Several commercial users expressed concern for impact on their businesses if openings were changed to every 30 minutes. Some comments expressed concern that draw openings could delay emergency vehicles or that some draw openings are for easily lowered vessel appurtenances. These matters are addressed in 33 CFR 117.31 and 117.11, respectively. Many commenters cited safety issues associated with hazardous currents and increased boat congestion within the limited holding areas near the bridge, should openings be extended to every 30 minutes. The Coast Guard agrees that limiting openings to once every 30 minutes would create potentially unsafe vessel congestion near the bridge. The proposed 15-minute scheduling during the busiest boating months should allow accumulated vehicular traffic to disperse without causing unacceptable delays to waterway traffic. The final is unchanged from the proposed rule published on 22 June 1987.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. We conclude this because the regulations exempt tugs with tows. Since the economic impact of these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46 and 33 CFR 1.05–1(g).

2. Section 117.261(bb) is revised to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

* * * * *

(bb) *Hillsboro Boulevard (SR 810) bridge, mile 1050.0 at Deerfield Beach.* The draw shall open on signal; except that, from October 1 through May 31, from 7 a.m. to 6 p.m., the draw need open only on the hour, quarter-hour, half-hour, and three-quarter hour.

* * * * *

Dated: October 26, 1987.

M. J. O'Brien,

Captain, U.S. Coast Guard, Acting Commander, Seventh Coast Guard District.

[FR Doc. 87–25705 Filed 11–5–87; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD7-87-12]

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Georgia

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Chatham County Engineering Department, the Coast Guard is adding regulations governing the Causton Bluff drawbridge at Savannah by permitting the number of openings to be limited during certain periods. This change is being made because of complaints about highway traffic delays. This action will accommodate the current needs of vehicular traffic and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effective on December 7, 1987.

FOR FURTHER INFORMATION CONTACT: Mr. Walt Paskowsky, telephone (305) 536–4103.

SUPPLEMENTARY INFORMATION: On May 21, 1987, the Coast Guard published proposed rules (52 FR 19172) concerning this amendment. The Commander, Seventh Coast Guard District, also published the proposal as a Public Notice dated June 6, 1987. In each notice, interested persons were given until July 6, 1987, to submit comments.

Drafting Information

The drafters of these regulations are Mr. Walt Paskowsky, Bridge Administration Specialist, project officer, and Lieutenant Commander S.T. Fuger, Jr., project attorney.

Discussion of Comments

Two comments were received. The State of Georiga Office of Planning and Budget had no objection to the proposal. A commercial fishing fleet operator objected stating that a vessel reaching the bridge after 6:30 a.m. would have an hour and twenty-five minute wait, and that traffic could use the route across the new high level fixed bridge at Thunderbolt to avoid a drawbridge opening.

The Coast Guard has carefully considered the comments. An opening at 7 a.m. has been added to the morning closed period to accomodate those commercial fishing vessels not making the 6:30 a.m. opening. Since the available data indicates there were only 67 openings for shrimp boats and non-commercial vessels between 6:30 a.m. and 7 a.m. per year, this provision should not regularly disrupt vehicular

traffic. In addition, part of the traffic congestion on the Causton Bluff bridge should be relieved with the recent opening of the alternate route across the Thunderbolt high level fixed bridge. The final regulation is otherwise unchanged from the proposed rule published on May 21, 1987.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. We conclude this because the regulations exempt tugs with tows. Since the economic impact of these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46 and 33 CFR 1.05–1(g).

2. Section 117.353(b) is revised to read as follows:

§ 117.353 Atlantic Intracoastal Waterway from Savannah River to St. Marys River.

* * * * *

(b) *Causton Bluff, SR 26, mile 579.9 near Causton Bluff.* The draw shall open on signal, except that from 6:30 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m. Monday through Friday, except Federal holidays the draw need open only at 7 a.m., 8 a.m. and 5:30 p.m.

* * * * *

Dated: October 18, 1987

H.B. Thorsen,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

[FR Doc. 87–25707 Filed 11–5–87; 8:45 am]

BILLING CODE 4910–14–M

33 CFR Part 117

[CGD5–87–082]

Temporary Drawbridge Operation Regulations; Bridge Across Severn River at Annapolis, MD

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule with request for comments.

SUMMARY: At the request of the Maryland State Highway Administration, the Coast Guard is issuing temporary regulations for the drawbridge across the Severn River, mile 3.0, on MD State Route 450 at Annapolis, Maryland, to restrict bridge openings during morning and evening peak vehicular traffic hours during the reconstruction of the U.S. 50/301 highway bridge across the Severn River, located approximately 1 mile upstream. Public comments on the temporary rule are requested. The temporary rule may be amended based on those comments.

DATES:

Effective Date: This temporary regulation becomes effective on October 26, 1987. It terminates on May 31, 1988.

Date for Comments: Comments must be received on or before November 26, 1987.

ADDRESSES: Comments may be mailed to: Commander (oan), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704–5004. Comments will also be available for inspection and copying at Room 507 of the above address. Normal office hours are between 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, telephone number: (804) 398–6222.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after Federal Register publication. Publishing an NPRM and delaying its effective date would be contrary to public interest since immediate action is needed to reduce the highway traffic congestion on the S.R. 450 bridge across the Severn River at Annapolis, Maryland during reconstruction work on the alternate bridge across the Severn River, the U.S. 50/301 bridge located about 1 mile upstream. The Maryland State Highway Administration requested the issuance of these temporary regulations on September 14, 1987.

Interested persons are invited to participate in this rulemaking by submitting written views, comments, data, or arguments. Persons submitting comments should include their names and addresses, identifying the bridge, and give reasons for concurrence with or any recommended changes in the temporary rule.

The Commander, Fifth Coast Guard District, will evaluate all communications received and determine whether the temporary rule should be changed in light of comments received.

Drafting Information

The drafters of this notice are Ann B. Deaton, Project Officer, and CDR Robert J. Reining, Project Attorney, Fifth Coast Guard District Legal Staff.

Discussion of Temporary Rule

At the request of the Maryland State Highway Administration, the Coast Guard is issuing temporary regulations for the drawbridge across the Severn River, mile 3.0, on S.R. 450 at Annapolis, Maryland, to restrict bridge openings during vehicular rush hours of 7 a.m. to 9 a.m. and 7 p.m. to 6 p.m., Monday through Friday, until the spring of 1988 when reconstruction work on the U.S. 50/301 fixed bridge upstream is scheduled to be completed.

The U.S. 50/301 bridge is currently undergoing reconstruction work and widening to provide additional traffic lanes. U.S. 50/301 handles an average daily traffic volume of 55,000 vehicles. In order to avoid the construction on this bridge, many of those motorists have been using the alternate access to Annapolis by crossing the Severn River on the S.R. 450 drawbridge. With this additional traffic using the S.R. 450 bridge, the current drawbridge schedule of opening on demand is seriously disrupting traffic flow and causing lengthy delays to motorists going to work in Annapolis during the morning rush hours and returning home during the evening rush hours.

The State of Maryland has requested rush-hour opening restrictions to alleviate some of the hardship on motorists until work on the U.S. 50/301 bridge is completed in late spring of 1988, and motorists can return to their normal highway routes. On weekends, and at all times other than the above designated rush hours, the bridge will be required to open on demand. Implementation of this temporary schedule will improve the flow of

vehicular rush-hour traffic while still providing for the reasonable needs of navigation.

Economic Assessment and Certification

These temporary regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and non-significant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of the temporary regulation is expected to be so minimal that a full regulatory evaluation is unnecessary. The temporary regulations will have no effect on commercial navigation on the Severn River, and no commercial water-dependent activities are expected to be affected.

Since the economic impact of these temporary regulations is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Part 117 of Title 33, Code of Federal Regulations is temporarily amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–01(g).

2. Section 117.572 is temporarily added to read as follows:

§ 117.572 Severn River.

(a) The draw of the S.R. 450 bridge, mile 3.0, at Annapolis shall open on signal, except, from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m., Monday through Friday, the draw shall not open for the passage of pleasure vessels.

(b) The draw shall open on signal for public vessels of the United States, State or local vessels used for public safety, commercial vessels, and vessels in distress.

(c) This temporary rule becomes effective on October 26, 1987. It terminates on May 31, 1988.

Dated: October 21, 1987.

R.M. Polant,

Captain, U.S. Coast Guard, Acting Commander, Fifth Coast Guard District.

[FR Doc. 87–25708 Filed 11–5–87; 8:45 am]

BILLING CODE 4910–14–M

33 CFR Part 117

[CGD7–87–25]

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, South Carolina

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the South Carolina Department of Highways and Public Transportation, the Coast Guard is adding regulations governing the Wappoo Creek drawbridge at Charleston by permitting the number of openings to be limited during certain periods. This change is being made because of complaints about highway traffic delays. This action will accommodate the current needs of vehicular traffic and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effective on December 7, 1987.

FOR FURTHER INFORMATION CONTACT: Mr. Walt Paskowsky, telephone (305) 536–4103.

SUPPLEMENTARY INFORMATION: On July 20, 1987, the Coast Guard published proposed rules (52 FR 27225) concerning this amendment. The Commander, Seventh Coast Guard District, also published the proposal as a Public Notice dated August 3, 1987. In each notice, interested persons were given until September 3, 1987, to submit comments.

Drafting Information

The drafters of these regulations are Mr. Walt Paskowsky, Bridge Administration Specialist, project officer, and Lieutenant Commander S.T. Fuger, Jr., project attorney

Discussion of Comments

Eleven comments were received. Most supported keeping the bridge closed from 6 a.m. to 9:30 a.m. and 3:30 p.m. to 6:30 p.m. Monday through Friday. Seven supported openings on the hour and half hour at all other times on a year round basis.

The Coast Guard has carefully considered the comments. The closed periods for the Wappoo Creek bridge already exceed those of any other drawbridge across the Intracoastal Waterway in the Seventh Coast Guard District. Increasing the closed period to 3 or more hours twice daily would be an unreasonable restriction to Intracoastal Waterway navigation. Available bridge and highway traffic data does support the need for additional restrictions on brdige openings during the "off peak" hours from April 1 to November 30. Comments received, however, presented no additional information to justify these "off peak" hours during the winter months when bridge openings are significantly reduced.

These additional limitations on bridge openings should improve highway traffic flow significantly while allowing mariners reasonable use of the Intracoastal Waterway. The final rule is unchanged from the proposed rule published on July 20, 1987.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. We conclude this because the regulations exempt tugs and tows. Since the economic impact of these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46 and 33 CFR 1.05–1(g).

2. Section 117.911(d) is revised to read as follows:

§ 117.911 Atlantic Intracoastal Waterway from Little River to Savannah River.

* * * * *

(d) *SR 171/700 bridge across Wappoo Creek Mile 470.8 at Charleston.* The draw shall open on signal, except that the bridge need not open from 6:30 a.m. to 9 a.m. and 4 p.m. to 6:30 p.m. Monday through Friday, except federal holidays. From April 1 to November 30 from 9 a.m. to 4 p.m. Monday through Friday, except federal holidays, the bridge need not open except on the hour and half-hour. From April 1 to November 30, from 9 a.m. to 7 p.m., Saturdays, Sundays and Federal holidays, the bridge need not open except on the hour and half-hour.

* * * * *

Dated: October 29, 1987.

H.B. Thorsen,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

[FR Doc. 87-25709 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 117

[CGD7-87-49]

Drawbridge Operation Regulations; Oklawaha River, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule; revocation.

SUMMARY: This amendment revokes the regulations for the Starkes Ferry (SR 42) bridges, both Main and East Channels at mile 73.0 Oklawaha River, near Weirsdale, Florida, because the bridges have been replaced by a high level fixed span. Notice and public procedure have been omitted from this action due to removal of the bridges concerned.

EFFECTIVE DATE: This rule becomes effective on November 6, 1987.

FOR FURTHER INFORMATION CONTACT: Ms. Zonia Reyes, Bridge Administration Specialist, Seventh Coast Guard District, (305) 536-4103.

SUPPLEMENTARY INFORMATION: The draws of the Sharpes Ferry (SR 40) bridge, mile 55.1, Muclan Farms Bridge, mile 63.9 and Moss Bluff, mile 66.0 are not affected by this amendment. This action has no economic consequences. It merely revokes regulations that are now meaningless because they pertain to drawbridges that no longer exist at mile 73.0.

Consequently, this action is considered to be non-major under Executive order 12291 and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034, February 26, 1979). Since there is no economic impact a full regulatory evaluation is unnecessary. Because no notice of proposed rulemaking is required under 5 U.S.C. 553, this action is exempt from the Regulatory Flexibility Act (5 U.S.C. 605(b)). However, this action will not have a significant economic impact on a substantial number of small entities.

Drafting Information

The drafters of this rule are Ms. Zonia Reyes, Bridge Administration Specialist, Project Officer, and Lieutenant Commander S. T. Fuger, Jr. Project Attorney.

List of Subjects in 33 CFR Part 117

Bridges.

In consideration of the foregoing, part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g).

2. Section 117.319(a) is revised to read as follows:

§ 117.319 Oklawaha River.

(a) The draws of the Sharpes Ferry (SR 40) bridge, mile 55.1, and Muclan Farms bridge, mile 63.9, shall open on signal if at least three hours notice is given.

* * * * *

Dated: October 26, 1987.

M.J. O'Brien,

Captain, U.S. Coast Guard, Acting Commander, Seventh Coast Guard District.

[FR Doc. 87-25706 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 122

[CGD 87-044]

Security Measures; CFR Part Removed

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This rule removes the regulations requiring merchant vessels to post, when provided by the Coast Guard, CG Form 3526, entitled "Atomic Attack Instructions for Merchant Vessels in Port", in five designated areas of the vessel. This action is taken because the information on the placard is either outdated or provided in other publications required on merchant vessels. This eliminates the burden on the public of maintaining an unnecessary document and reduces Coast Guard operating costs for printing, stocking, distributing and inspecting the document.

EFFECTIVE DATE: November 6, 1987.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Joel R. Whitehead Project Manager, Office of Marine Safety, Security, and Environmental Protection, phone (202) 267-0491.

SUPPLEMENTARY INFORMATION: The Coast Guard received a petition to amend or revoke 33 CFR Part 122. The petitioner complained that the information on CG Form 3256, entitled "Atomic Attack Instructions for Merchant Vessels in Port", is grossly outdated and recommended that the regulation be deleted. Furthermore, the petitioner points out that CG Form 3256 is not normally provided to foreign vessels in U.S. ports. The petitioner recommended that CG Form 3256, which advises ships to maintain a radio guard at the sounding of the Civil Defense Alert Signal, advises ships on procedures to follow for getting underway, and lists procedures for decontamination, personnel protection and ship security, be provided by the Coast Guard to all vessels in U.S. ports, if the form is updated.

The Coast Guard evaluated the petitioner's request and made several findings. First, the regulations in 33 CFR Part 122 require the master of a U.S. ship to post CG Form 3256, when provided by the Coast Guard, in "conspicuous places in the pilothouse, engineroom, and in the seamen's, firemen's, and steward's departments of the vessel." The regulations do not indicate which ships must have the placard nor do the regulations require ships to follow the procedures that are outlined on the placard. The regulations require substantial revision to clarify the applicability, to ensure that the proper procedures are followed and to make the regulations enforceable.

Second, the Coast Guard found that the information covering personnel protection, decontamination and ship security information outlined on CG Form 3256 is outdated and duplicates information contained in other publications. More detailed and up to date information is contained in ATP II Volume II "Allied Naval Control of Shipping Manual Guide to Masters" and Publication 117A, "Radio Navigation Aids" published by Defense Mapping Agency. Merchant vessels are required by MARAD Advisory 85-6 to maintain up to date copies of both publications on board.

There are other areas of outdated information on CG Form 3256. The dispersal procedures outlined on CG Form 3256 are outdated because modern weapon delivery systems make it impractical to evacuate ships from a port after it is learned that atomic attack is imminent. Merchant vessels would normally be ordered to disperse during times of heightened tension, well before the sounding of any civil defense signal.

Finally, the Coast Guard found that the regulations in 33 CFR Part 122 and CG Form 3256 are unnecessary because vessel movement is addressed by other regulations in Title 33. The navigation safety regulations in 33 CFR 160.111 authorize the District Commander or Captain of the Port to order any vessel to operate or anchor in any manner directed if it has been determined that

such an order is justified in the interest of safety. In the event of an emergency the COTP would order vessels to disperse under this regulation, not 33 CFR Part 122.

In accordance with 5 U.S.C. 553 a Notice of Proposed Rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. In this case, notice and public procedure are unnecessary and contrary to the public interest. The existing rule requires vessels to post a placard containing information that is either outdated or duplicative. The regulation does not serve a useful purpose and promulgation of this rulemaking relieves the public of an unnecessary paperwork burden. Therefore, the change should be effectuated as soon as possible.

Regulatory Evaluations

This final rule is considered to be non-major under Executive Order 12291 and nonsignificant under DOT regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of this final rule has been found to be so minimal that further evaluation is unnecessary under DOT Order 2100.5 of 5 May 1980. Deleting the regulation would eliminate duplicate recordkeeping requirements on the marine industry. The Coast Guard would also recognize a small but significant savings in both manpower and money because it will no longer be necessary to print, stock, distribute and inspect for CG Form 3256.

Regulatory Flexibility Act

Since the impact of this final rule is expected to be minimal, the Coast Guard certifies in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), that this rule will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act

The Coast Guard evaluated the recordkeeping requirements of the existing regulations in compliance with the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). Because the information provided on CG Form 3256 is outdated, and the information and recordkeeping requirements of 33 CFR Part 122 are redundant, the Coast Guard decided to delete the regulation and reduce the burden on the public.

Environmental Assessment

The Coast Guard has considered the environmental impact of the regulations and concluded that preparation of an environmental impact statement is not necessary. This regulatory project is not anticipated to have an adverse impact on the environment. An environmental assessment and a Finding of No Significant Impact have been prepared and may be inspected or copied as indicated under "Addresses".

List of Subjects in 33 CFR Part 122

Civil defense, Vessels.

PART 122—[REMOVED]

For the reasons set out in the preamble, Part 122 of Chapter I, Title 33 Code of Federal Regulations is removed.

Authority: 50 U.S.C. 191, 33 CFR 6.14.

Dated: November 2, 1987.

P.C. Lauridsen,

Captain, U.S. Coast Guard Acting Chief, Office of Marine Safety Security and Environmental Protection.

[FR Doc. 87-25710 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 162

[CGD 86-066]

York Spit Channel, Chesapeake Bay; Navigation

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This final rule deletes the regulation restricting navigation through the York Spit Channel, Chesapeake Bay. This rule is necessary to inform the public and interested parties that navigation restrictions governing this waterway are no longer in effect and are removed from the regulations. The intended effect of this final rule is to update existing regulations.

EFFECTIVE DATE: December 7, 1987.

FOR FURTHER INFORMATION CONTACT: Mr. Michael J. Powers, Navigation Systems Safety Division, Office of Navigation, (202) 267-0415.

SUPPLEMENTARY INFORMATION: The regulations governing Inland Waterway Navigation (IWN) of vessels was transferred for administrative and enforcement purposes to the Coast Guard from the U.S. Army Corps of Engineers by a Memorandum of Understanding signed on May 5, 1977. Discussion between the Coast Guard and local maritime interests questioned the purpose, intent, and present usage/usefulness of the York Spit Channel navigation regulations. This regulation was originally developed to restrict the movement of vessels through a hazardous navigation area during a period when vessel traffic was much greater than traffic levels have been over the past few years. Coast Guard and maritime interests agree the present Inland Navigation Rules provide sufficient guidance to insure navigation safety in the York Spit Channel and surrounding area. The proposal to remove this regulation was published in a Notice of Proposed Rulemaking (NPRM) on May 21, 1987 (52 FR 19173) with a forty-five day comment period. One letter was received in response to the NPRM.

Drafting Information

The principal persons involved in drafting this final rule are Mr. Michael J. Powers, Project Manager, and Mrs. Christena Green, Project Counsel, Office of Chief Counsel.

Discussion of Comments

The one comment received concurred with the removal of the restriction. The comment stated that the regulation was only known by a few people and is disregarded by all. The commenter saw no justifiable reason to preserve the restriction.

Regulatory Evaluation

This final rule is considered to be non-major under Executive Order 12291 and non-significant under the DOT regulatory policies and procedures (44 FR 11034; February 26, 1979). A Regulatory Impact Analysis under Executive Order 12291 is not required. The economic impact of this final rule has been found to be so minimal that further evaluation is unnecessary.

Deleting the York Spit Channel Navigation regulation merely informs vessel operators that they are no longer restricted to entering or departing at the ends of the channel and that administration and enforcement activities associated with this regulation are being terminated. Sufficient guidance to insure navigation safety in the York Spit Channel and surrounding area is provided through the Inland Navigation Rules. It is expected waterborne commerce will continue to use the York Spit Channel for navigation and navigation aids outlining York Spit Channel will remain in place. Since the economic impact is expected to be minimal, the Coast Guard certifies this rule will not have a significant economic impact on a substantial number of small entities.

Reporting and Recordkeeping Requirements

This rule contains no reporting or recordkeeping requirements.

List of Subjects in 33 CFR Part 162

Navigation (water), Vessels.

PART 162—INLAND WATERWAYS NAVIGATION REGULATIONS

In consideration of the foregoing, Part 162 of Title 33 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 162 continues to read as follows:

Authority: 33 U.S.C. 1231; 49 CFR 1.46.

§ 162.45 [Removed]

2. Section 162.45 is removed.

Dated: October 9, 1987.

Martin H. Daniell,

Rear Admiral, U.S. Coast Guard Chief, Office of Navigation.

[FR Doc. 87-25712 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Honolulu Regulation 87-03]

Security Zone Regulations; Outer Apra Harbor, Guam, Marianas Islands

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a security zone around the U.S. Navy vessel USS PROTEUS which will be moored at mooring buoy no. 951 located at 13°26'51"N, 144°38'13.8"E in Outer Apra Harbor, Guam, Marianas Islands. The security zone will extend for a distance of 200 yards in all directions from USS PROTEUS. The zone is needed to safeguard USS PROTEUS against destruction from sabotage or other subversive acts, accidents, or other causes of similar nature. Entry into this zone is prohibited unless authorized by Captain of the Port.

DATES: This regulation becomes effective on November 28, 1987. It terminates on December 4, 1987 unless sooner terminated by the Captain of the Port.

FOR FURTHER INFORMATION CONTACT: LT R.E. Tinker (671) 477-3340, USCG Marianas Section Office, Guam.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing an NPRM or delaying its effective date would be contrary to the public interest since immediate action is needed to prevent injury to or destruction of the USS PROTEUS.

Drafting Information

The drafters of this regulation are CDR M.W. Mastenbrook, project officer for the Captain of the Port, and LCDR R.W. Bogue, project attorney, Fourteenth Coast Guard District Legal Office.

Discussion of Regulation

The Navy had requested that a security zone be established. The incident requiring this regulation will begin on November 28, 1987 when the USS PROTEUS will moor at mooring buoy no. 951 in Outer Apra Harbor, Guam. Since mooring buoy no. 951 is a Navy maintained mooring buoy, and is located in excess of 500 yards from the main shipping channel, there should be no adverse impact on harbor use due to this security zone. USS PROTEUS will moor at the buoy to undertake routine maintenance work, and the security zone will be terminated when the USS PROTEUS leaves the moorage upon completion of this work. The purpose of this regulation is to protect the USS PROTEUS from injury or destruction from sabatoge, accidents or other subversive acts. This regulation is issued pursuant to 50 U.S.C. 191 as set out in the authority citation for all of Part 165.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Security Measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, Subpart D of Part 165 of Title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 33 CFR 160.5.

2. A new § 165.T1403 is added to read as follows:

§ 165.T1403 Security Zone: Outer Apra Harbor, Guam.

(a) *Location:* The following area is a security zone: In outer Apra Harbor, Guam, when the USS PROTEUS is moored to mooring buoy no. 951 located at 13°26'51"N, 144°38'13.83"E, a security zone will extend in all directions from the vessel for a distance of 200 yards.

(b) *Effective date:* This regulation becomes effective on November 28, 1987 at 12:01 AM local Guam time. It terminates on December 4, 1987 at 11:59 PM local Guam time unless sooner terminated by the Captain of the Port.

(c) *Regulations:* In accordance with the general regulations in Section 165.33 of this part, entry into the zone is prohibited unless authorized by the Captain of the Port. Section 165.33 also contains other general requirements.

Dated: October 30, 1987.

C.W. Gray,

Captain, U.S. Coast Guard, Captain of the Port, Honolulu, Hawaii.

[FR Doc. 87-25711 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 4F3070/R922: FRL-3288-5]

Pesticide Tolerance for Fluazifop-Butyl

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a tolerance for residues or resolved isomer of fluazifop, (*R*)-2-[4-[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxy]propanoic acid, both free and conjugated, and of fluazifop-*P*-butyl, butyl(*R*)-2-[4-[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxy]propanoate, all expressed as fluazifop, in or on the raw agricultural commodity (RAC) onions (bulb). This regulation to establish maximum permissible levels for residues of the resolved isomer of fluazifop and fluazifop-*P*-butyl, all expressed as fluazifop, in or on onions (bulb) was requested in a petition by ICI Americas, Inc.

EFFECTIVE DATE: Effective on November 6, 1987.

ADDRESS: Written objections, identified by the document control number [PP 4F3070/R922], may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT:

By Mail: Richard F. Mountfort, Product Manager (PM) 23, Registration Division, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

Office location and telephone number: Rm. 237, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-557-1830

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the **Federal Register** of May 23, 1984 (49 FR 21795), which announced that ICI Americas, Inc., Agricultural Chemicals Division, Wilmington, DE 19897, had filed

pesticide petition 4F3070 with EPA. The petition proposed that a tolerance be established for residues of (±)-2-[4-[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxy]propanoic acid (fluazifop), both free and conjugated, and of (±)-butyl 2-[4-[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxy]propanoate (fluazifop-butyl), all expressed as fluazifop, in or on the RAC onions at 0.5 part per million (ppm). ICI Americas, Inc., subsequently amended the proposal to specify the resolved isomer of fluazifop, (*R*)-2-[4-[[5-(trifluoromethyl)-2-Pyridinyl]oxy]phenoxy]propanoic acid, and fluazifop-*P*-butyl, butyl(*R*)-2-[4-[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxy]propanoate, and onions (bulb).

There were no comments received in response to the notice of filing.

The data submitted in the petition and other relevant material have been evaluated. The data considered in support of the tolerance include:

1. Plant and animal metabolism studies.

2. A rat oral lethal dose (LD_{50}) with an LD_{50} of 3,300 milligrams (mg) per kilogram (kg) of body weight (bwt).

3. A rabbit subchronic dermal study with a no-observed-effect level (NOEL) of 100 ppm (5 mg/kg/day).

4. a 90-day rat feeding study with a NOEL of 0.5 mg/kg/day.

5. A 90-day dog feeding study with a NOEL of 25 mg/kg/day.

6. A rat teratology study with a teratogenic and maternal toxicity NOEL of 10 mg/kg/day (the teratogenic and maternal toxic level is 200 mg/kg/day (highest dose) with diaphragmatic hernia) and the fetotoxic NOEL of 1 mg/kg/day (Margin of Safety values are based on the developmental toxicity NOEL of 1 mg/kg/day).

7. A rabbit teratology study with no terata at 90 mg/kg/day (highest dose) and a fetotoxic NOEL of 10 mg/kg/day.

8. A two-generation rate reproduction study with a NOEL of 80 ppm (mg/kg/day).

9. A 2-year chronic feeding/oncogenicity study in rats with no-observed-oncogenic potential under conditions of the study up to and including 3.0 mg/kg/day (highest dose) and a systemic toxicity NOEL of 1 mg/kg/day.

10. An 18-month mouse chronic feeding/oncogenicity study with no-observed-oncogenic potential up to an including 3.0 mg/kg/day (highest dose) and a systemic toxicity NOEL of 1.0 mg/kg/day.

11. An Ames test (negative).

12. A rate cytogenetic study (negative).

13. An *in-vitro* transformation assay (negative).

14. An acute delayed neurotoxicity study in hens (negative).

15. A 1-year dog feeding study with a NOEL of 5 mg/kg/day.

The acceptable daily intake (ADI), based on the 2-year rat feeding study (NOEL of 1.0 mg/kg/day) and using a 100-fold safety factor, is calculated to be 0.01 mg/kg/bwt/day. The maximum permitted intake for a 60-kg human is calculated to be 0.6 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5-kg daily diet is calculated to be 0.06006 mg/day; the current action will increase the TMRC by 0.00621 mg/day (10.3 percent). Published tolerances utilize 10.0 percent of the ADI. The current action will utilize an additional 1.0 percent to utilize a total of 11.0 percent of the ADI.

The nature of the residue of the pesticide is adequately delineated, and an adequate analytical method, high-pressure liquid chromatography using an ultraviolet director, is available in the Pesticide Analytical Manual, Vol. II, for enforcement purposes. Existing tolerances for fluazifop-butyl are adequate to cover secondary residues in meat, milk, poultry, or eggs resulting from this use of the pesticide. There are currently no regulatory actions pending against the pesticide.

Based on the information considered, the Agency concludes that the tolerance will protect the public health. Therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 State. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 29, 1987.

Douglas D. Campt,

Director, Office of Pesticide Programs.

Therefore, 40 CFR Part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for Part 180 continues to read as follows:

Authority: 21 U.S.C. 346a.

2. Section 180.411 is amended by adding and alphabetically inserting the raw agricultural commodity onions (bulb) to paragraph (c), to read as follows:

§ 180.411 Fluazifop-butyl; tolerance for residues.

* * * * *

(c) * * *

Commodities	Parts per million
* *	* *
Onions (bulb)	0.5

[FR Doc. 87-25732 Filed 11-5-87; 8:45 am]

BILLING CODE 8560-50-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Final Rule To Determine Astragalus montii (Heliotrope milk-vetch) To Be Threatened Species, With Designation of Critical Habitat

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Service determines the plant *Astragalus montii* (Heliotrope milk-vetch) to be a threatened species and designates critical habitat for a portion of its range under the authority of the Endangered Species Act of 1973, as amended. *Astragalus montii* is known from three populations entirely on public land in the Manti-LaSal National Forest located in Sanpete and Sevier Counties in central Utah. The taxon grows on outcrop barrens formed from a substrate of partially decomposed limestone of the Flagstaff

Formation. *Astragalus montii* populations are in an area of active oil and gas exploration associated with the "Overthrust Belt" of the western United States.

Energy exploration and any development could have a seriously negative effect on this taxon if it were not considered early in developmental planning. This rule extends the protection provided by the Endangered Species Act to *A. montii* to ensure that such planning will adequately consider the taxon's conservation.

EFFECTIVE DATE: The effective date of this rule is December 7, 1987.

ADDRESSES: The complete file for this rule is available for inspection, by appointment, during usual business hours of the Service's Endangered Species Staff, 134 Union Boulevard, 4th floor, Lakewood, Colorado, and 2078 Administration Building, 1745 West 1700 South, Salt Lake City, Utah 84104.

FOR FURTHER INFORMATION CONTACT: Dr. James L. Miller, at the Lakewood address above (303/234–4600 or FTS 234–2496), or John L. England, at the Salt Lake City address above (801/524–4430 or FTS 588–4430).

SUPPLEMENTARY INFORMATION:

Background

Astragalus montii was first discovered by Mont Lewis and Robert Thompson in July, 1976. Dr. S.L. Welsh recognized it as a species new to science and named it in Lewis' honor in 1978. It has also been recognized as a variety of *Astragalus limnocharis* (Isely, 1983), but the Service considers it to be a distinct species. *Astragalus montii* is a herbaceous perennial of the pea family (Fabaceae) and is ½–2 inches (1–5 centimeters) tall, with pink-purple, white-tipped flowers, and mottled bladdery-inflated pods. *Astragalus montii* is a narrow endemic, restricted to outcrops of limestone barrens of only limited extent at or near timberline on top of the Wasatch Plateau of central Utah.

The Wasatch Plateau is in the Utah Plateaus section of the Intermountain region. Some 40 plant taxa are endemic to the Utah Plateaus, and several of these occur as related pairs of taxa, such as the rare and more northern *A. montii* and its somewhat more plentiful and southern counterpart, *A. limnocharis* (Cronquist *et al.*, 1972, p. 106; Reveal, 1979, p. 65; Isely, 1983). *Silene petersonii* var. *petersonii* is an endemic plant under review for listing that occurs in part in the critical habitat and other range of the Heliotrope milk-vetch.

Astragalus montii is known from three populations, all entirely on public land in the Manti-LaSal National Forest. The best known and smallest population occurs on the western portion of Heliotrope Mountain in Sanpete County. This population on about 57½ acres is divided between two sites approximately ⅓ mile apart. The larger site, with about 2,000 individuals, occurs on the south side near the top of Heliotrope Mountain and the smaller site, with fewer than 500 individuals, occurs on the north side. The second population also occurs on Heliotrope Mountain (near its confluence with, sometimes considered a part of, Ferron Mountain), about 2 miles east of the previously mentioned population. This population was discovered in the summer of 1983 and consists of about 4,000 individuals on 37 acres. The third population, also of about 4,000 individuals, occurs about 6 miles south of Heliotrope Mountain on White Mountain, in Sevier County. This population was discovered in 1982, and occurs on isolated rocky outcrops scattered within a total of about 290 acres along the rather flat expanse of the mountain top. No other populations have been located.

Populations of *A. montii* are in a general area of active oil and gas exploration associated with the "Overthrust Belt" of the western United States. Oil and gas exploration and development in the area where this species occurs, unless conducted with consideration for this taxon, could have a seriously negative effect on its survival. In November, 1982, the Bureau of Land Management (BLM) issued an oil and gas lease covering the then-proposed critical habitat for the taxon, with a stipulation that endangered and threatened species must be accommodated. An oil and gas lease that includes portions of the other Heliotrope Mountain (Ferron Mountain) population does not contain such a stipulation, but this lease was terminated by the lessee in September of 1984.

On December 15, 1980, the Service published a notice of review for plants in the **Federal Register** (45 FR 82479–82569) that included *A. montii* as a candidate for listing. On January 13, 1981, the Service published in the **Federal Register** (46 FR 3187–3191) a rule that proposed *A. montii* to be an endangered species, with critical habitat proposed for the only population then known, on the south side of western Heliotrope Mountain.

Two additional populations and one additional site were discovered in 1982 and 1983 on the limited rocky outcrops to which this species is restricted. The distribution and numbers of plants in the populations have been investigated, and the nature, magnitude, and immediacy of threats facing this taxon have been subsequently reevaluated. On August 26, 1983, the Service published a notice in the **Federal Register** (48 FR 38860–38861) that reopened the comment period through September 14, 1983, and announced a September 12, 1983, public hearing on the proposal, indicating that the Service then considered the taxon threatened rather than endangered. The taxon is considered threatened rather than endangered because of the change in known distribution and in perceived threats, as explained below.

Summary of Comments and Recommendations

In the January 13, 1981, proposed rule (46 FR 3187) and associated notifications, all interested parties were requested to submit factual reports or information that might contribute to the development of a final rule. Appropriate State agencies, county governments, Federal agencies, scientific organizations, and other interested parties were contacted and requested to comment. A letter was sent to the Governor of Utah on February 10, 1981, notifying him of the proposed rule for *A. montii*. In February, 1981, letters were sent to members of Utah's congressional delegation, Federal agencies, local governments and other interested parties notifying them of the proposal and soliciting their comments and suggestions. The proposed rule also announced that a public meeting would be held on February 18, 1981. The meeting was by error scheduled to be held in Nephi, Utah, which is not in the county in which the plant was known to occur. In order to have the meeting take place in the same area in which the proposed critical habitat is located (as the Act then required), the Service announced in the February, 1981, *Endangered Species Technical Bulletin* and planned to announce in the **Federal Register** that the public meeting would be held in Manti, Utah, on March 18, 1981. However, due to objection to the proposal as discussed below, the Service postponed the public meeting until it could reconcile the concerns of those opposed to the proposed rule. Written comments received during the period January 13, 1981, through April 14, 1981, concerning the proposed rule are discussed below.

Comments were received from the Governor of Utah, Congressman James Hansen, the Forest Service, and Dr. Stanley L. Welsh, of Brigham Young

University. A total of five written responses were received relating to the proposal. All five objected to the proposal itself or to the scientific and conservation rationale upon which the proposal was based. The Forest Service, in two separate but essentially identical responses, objected to the proposed rule. Its objection was based on the following three reasons: (1) "Listing the plant and designating Critical Habitat would tend to draw attention to it and could lead to its endangerment * * *," (2) "The statements in the Federal Register regarding threats to the plant from domestic sheep and off-road vehicle use in the area are not supported with factual evidence * * *," and (3) "The species is listed as "sensitive" by the Regional Forester and is, therefore, afforded the necessary priority to protect it from threats * * *." Dr. S.L. Welsh's objections were the same as those expressed by the Forest Service in points 1 and 2 above. The Governor's objections were a reiteration of the objections noted above. Congressman Hansen's objections again were the same as those above, plus strongly expressed concern of excessive government regulation and interference that he believed would result from the rule. The Service's reply to these comments follows.

There is no evidence of botanical or horticultural interest in the taxon that would lead one to expect an additional threat to *Astragalus montii* from plant or seed collectors as a result of listing and designating critical habitat. Subsequent field work on *A. montii* has indeed failed to support statements in the proposed rule concerning threats to this taxon from off-road vehicle (ORV) use and livestock grazing and trampling. The Service recognizes the importance and utility of the Forest Service's sensitive species policy in conserving rare species. However, the Service is not authorized to delegate its legal responsibility for the identification of vulnerable species to any other agency. Finally, the Service neither anticipates that planning for *A. montii* will cause irresolvable conflict with oil and gas exploration or development, nor that this final rule will result in excessive regulation.

In the August 26, 1983, Federal Register notice (48 FR 38860) that reopened the comment period through September 14, 1983, and in associated correspondence, all interested parties were again requested to submit factual reports or information that might contribute to the development of a final rule. The same groups notified of the 1981 proposal were contacted and requested to comment. A letter was sent to the Governor of Utah on August 31, 1983, again notifying him of the proposed rule for *A. montii*. In August and September 1983, letters were again sent to members of Utah's congressional delegation, Federal agencies, local governments and other interested parties notifying them of the proposal and soliciting their comments and suggestions. A newspaper notice that invited general public comment was published in the *Manti Messenger* on September 1, 1983. The notice also announced that a public hearing would be held on the proposal in Manti, Utah, on September 12, 1983. All comments received during the period from August 26, 1983, through September 21, 1983, are discussed below, as well as a comment from the Governor received November 4, 1983.

Three written comments were received. The Forest Service, in a comment from the Regional Forester, recommended against officially listing *A. montii* as either threatened or endangered. The Forest Service comment maintained that populations of *A, montii* appear stable under current land management conditions. The Forest Service also expressed confidence that it could direct any threat to *A. montii* away from its habitat. The Governor referred to his March, 1981, comment letter and reaffirmed his objection to listing the taxon. He indicated his belief that grazing is not a threat and that the authority of the Forest Service is sufficient protection from any grazing or ORV threats. He stated that discovery in 1982 of the White Mountain population, which is not threatened by grazing or ORV activity, further supports his recommendation not to list the taxon. He did not mention the eastern Heliotrope Mountain (Ferron Mountain) population or address the threat to the Heliotrope populations from energy exploration or development. Dr. Stanley L. Welsh of Brigham Young University commented on the rarity of *A montii*, its very limited distribution, and its susceptibility to habitat destruction from energy development. He urged protection for this taxon under the Endangered Species Act to ensure its long-term survival. No substantive comments were received at the public meeting held on September 12, 1983, although there was informal discussion on the recently discovered eastern Heliotrope Mountain (Ferron Mountain) population.

The U.S. Fish and Wildlife Service recognizes and values the conservation efforts of the Forest Service in conserving wildlife and plants in general, and *A. montii* in particular. Biological evidence suggests that *Astragalus montii* is vulnerable to localized habitat alteration and, given the potential for further energy exploration in its restricted habitat and the fact that energy exploration is taking place in the vicinity of its proposed critical habitat and elsewhere on Heliotrope Mountain, it fits the criteria of the Act for listing as a threatened species. Since the protective stipulation on the BLM lease that includes the area of critical habitat is restricted to proposed or listed endangered and threatened species, listing is necessary to ensure that the stipulation has effect. It is anticipated that the listing of *A montii* as threatened will not limit any action or land use plan the Forest Service currently has in operation in the area in which this taxon occurs, and listing will carry out the intent of the BLM lease stipulation.

Summary of Factors Affecting the Species

After a thorough review and consideration of all information available, the Service has determined that *Astragalus montii* should be classified as a threatened species. Procedures found at Section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations (50 CFR Part 424) promulgated to implement the listing provisions of the Act were followed. A taxon may be determined to be an endangered or threatened species due to one or more of the five factors described in that section. These factors and their application to *Astragalus montii* Welsh (Heliotrope milk-vetch) are as follows:

A. *The present or threatened destruction, modification, or curtailment of its habitat or range. Astragalus montii* occurs in a general area of active petroleum exploration associated with the "Overthrust Belt" of the western United States, indicating a potential that oil and gas could be found there. Given the very limited distribution of *A. montii*, habitat disturbance as a consequence of oil and gas exploratory drilling or production that did not plan for this taxon could have a seriously negative impact on its survival. On November 1, 1982, the BLM issued an oil and gas lease that includes the area proposed as critical habitat for the taxon, but included a stipulation that could restrict or disallow use of the lease if the exploration or drilling "* * * operation may detrimentally affect an endangered or threatened species * * *." The stipulation indicated that "The Federal surface management

agency [i.e., the Forest Service] is responsible for assuring that the area to be disturbed is examined, prior to undertaking any surface-disturbing activities * * *." Listing *Astragalus montii* is necessary for this stipulation to aid the taxon. Recreational ORV activity in the area is now thought to be uncommon and not harmful to the taxon.

B. *Overutilization for commercial, recreational, scientific, or educational purposes.* None known.

C. *Disease or predation.* Limited sheep grazing under a management plan occurs in the habitat of *A. montii.* Actual detrimental impacts to this plant resulting from grazing or associated trampling have not been observed. The plateau tops were more intensely grazed in the past, but Forest Service policy in recent years has reduced grazing in the area to a level believed compatible with conservation of *Astragalus montii.*

D. *The inadequacy of existing regulatory mechanisms.* No State laws or regulations currently protect *A. montii.* The Forest Service has established a national policy, based on the National Forest Management Act, of protecting species that it has designated as "sensitive" (Title 2600, Chapter 2670.3(2); 36 CFR 261.9). The Forest Service has designated *A. montii* as a sensitive species, and as such it is the policy of the Forest Service to provide for its conservation. The Forest Service has developed a management plan for *A. montii* and has initiated inventories and studies to develop necessary conservation for it.

The Endangered Species Act of 1973, as amended, and in particular its interagency cooperation regulations under section 7, will provide the necessary regulatory base to sustain the Forest Service in its national sensitive species policy on behalf of *A. montii.* Listing also is necessary to maintain in effect the BLM lease stipulation for this threatened species on western Heliotrope Mountain, and to require further consideration for the taxon by the BLM in its other lease stipulations. The Act will also add the authority and resources of the U.S. Fish and Wildlife Service in providing for the continued conservation of this taxon as long as it remains listed as threatened.

E. *Other natural or manmade factors affecting its continued existence.* The harshness of the alpine environment (short growing season, intense sunlight, extremely variable temperatures, etc.) contributes to the fragility of the ecosystem of *A. montii.* Disturbances may have catastrophic and as yet unknown long-term consequences to such a narrow endemic occupying these alpine habitats.

The careful assessment of the best scientific and commercial information available, as well as the best assessment of the past, present, and future threats faced by this taxon were considered in determining to make this rule final. Based on this evaluation, the preferred action is to list *Astragalus montii* as a threatened species. Listing as endangered, as proposed, is no longer appropriate, because it has been found to have a somewhat wider distribution and greater number of populations and individuals than had been believed at the time of proposal. It is prudent to designate critical habitat for it, since no threats are anticipated from delineating its location, as discussed above in the response to comments.

Critical Habitat

Critical habitat, as defined by section 3 of the Act and at 50 CFR Part 424 means: (i) The specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection, and (ii) specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

Section 4(a)(3) of the Act requires that critical habitat be designated to the maximum extent prudent and determinable concurrent with the determination that a species is endangered or threatened. Critical habitat is designated for *A. montii* to include the western population on Heliotrope Mountain in Sanpete County, Utah, about 15 miles southeast of Manti on top of the Wasatch Plateau. This area is revised from that proposed, based on field work undertaken in the past few years, and now includes the entire western Heliotrope Mountain population. Acreage is decreased from about 80 to about 65 acres, and the boundaries are redrawn based on most recent knowledge of the species' occurrence in this area. The habitat is characterized by low, barren knolls with very shallow soils derived from partially decomposed white limestone of the Flagstaff Formation. The east Heliotrope (Ferron) Mountain and White Mountain populations were unknown when the proposed rule was published. These additional areas are nevertheless considered necessary habitat for the taxon's survival. These additional areas may be proposed as critical habitat for this plant at some future time Although these additional areas are not being designated as critical habitat at this time, the listing of the Heliotrope milk-vetch provides protection for all individuals of this taxon, whether or not they are within the designated critical habitat.

Section 4(b)(8) requires, for any final regulation that designates critical habitat, a brief description and evaluation of those activities (public and private) that may adversely modify such habitat or may be affected by such designation. Activities within the proposed critical habitat were identified to include grazing of sheep and off-road vehicle touring. However, additional information collected after publication of the proposal indicated that ORV recreation within or in the vicinity of the proposed critical habitat is considered uncommon and is not expected to affect or be affected by the critical habitat designation. Oil and gas leasing, cattle grazing, and hunting also occur within or in the vicinity of the critical habitat. Surface disturbance associated with potential oil and gas exploration or development represents the greatest potential threat to this taxon. The area designated as critical habitat for this plant is one of the locations covered by the BLM lease stipulation already requiring consideration of proposed and listed endangered and threatened species. Designation of the area as critical habitat does not additionally affect the lease stipulation other than to reinforce the importance of the area. Section 4(b)(2) of the Act requires the Service to consider economic and other impacts of designating a particular area as critical habitat. The Service has evaluated the designation in light of all information obtained. The proposed critical habitat designation for the Heliotrope milk-vetch consisted of about 80 acres of limestone barrens near the timberline of Heliotrope Mountain. The proposed critical habitat is located on Federal land administered by the Forest Service within the Manti-LaSal National Forest in Sanpete County, Utah. The boundaries of the critical habitat have been adjusted from about 80 acres of Federal land to about 65 acres of Federal land by removing about 52.5 acres of the area originally proposed and adding about 37.5 acres of limestone barrens directly adjacent to the proposed critical habitat. This adjustment is based on an evaluation of additional information about the location of the species and the constituent elements necessary for the conservation of the species. The critical habitat designation in the final rule consists of limestone barrens near the

timberline within about 65 acres of Federal land on the Heliotrope Mountain in the Manti-LaSal National Forest, Sanpete County, Utah. No significant economic or other impacts are expected to result from the critical habitat designation for the Heliotrope milk-vetch. This conclusion is based on the following: (1) Forest Service's current management of the portion of Manti-LaSal National Forest that contains the proposed critical habitat areas; (2) the absence of the submission of plans of operations for development of oil and gas leases; (3) the unknown potential for oil and gas development within the areas of critical habitat not within known geologic structures, and current oil prices; (4) the remoteness of and unsuitable grazing conditions within the grazing allotments that contain the proposed critical habitat areas; (5) the absence of any known or expected effect on recreational activities; and (6) the unquantifiable benefits that may result from the designation. In addition, no significant impact on the economy or present economic status of Sanpete or Sevier Counties, Utah, is expected as a result of the designation of critical habitat for the Heliotrope milk-vetch. Protective measures for this taxon may require some control over the siting of various features of oil and gas exploration or development. However, due to the very limited extent of the critical habitat of this taxon, it is expected that its designation will have no effect on any exploitation of these possible energy resources.

Available Conservation Measures

Conservation measures provided to species listed as threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by other Federal, State, and private agencies, groups, and individuals. The Act requires that recovery actions be carried out for all listed species; this requirement may assist the Forest Service in carrying out its management plan for *A. montii*. The required protection by Federal agencies and the Act's taking prohibitions are discussed in part below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat if any is being designated. Regulations implementing this interagency cooperation are codified at 50 CFR Part 402. Section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of a listed species or to destroy or adversely modify its critical habitat. If a Federal action may adversely affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service. Possible threats to *Astragalus montii* within the control of the Forest Service and BLM may include oil and gas exploration and energy resource development, grazing, and recreational activities.

Section 9 of the Act and implementing regulations found at 50 CFR 17.71 and 17.72 set forth a series of general trade prohibitions and exceptions that apply to all threatened plant species. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export any threatened plant, transport it in interstate or foreign commerce in the course of a commercial activity, sell or offer it for sale in interstate or foreign commerce, or remove it and reduce it to possession from lands under Federal jurisdiction. Seeds from cultivated specimens of threatened plant species are exempt from trade prohibitions provided that a statement of "cultivated origin" appears on their containers. Certain exceptions can apply to agents of the Service and State conservation agencies. The Act and 50 CFR 17.72 also provide for the issuance of permits to carry out otherwise prohibited activities involving threatened species under certain circumstances. With respect to *A. montii* it is anticipated that few permits will ever be sought or issued since the taxon is not of commercial interest and is not known in cultivation or common in the wild. Requests for copies of the regulations on plants, and inquiries regarding them, may be addressed to the Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, Washington, DC 20240 (703/235–1903).

National Environmental Policy Act

The U.S. Fish and Wildlife Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

Regulatory Flexibility Act and Executive Order 12291

The Department of the Interior has determined that designation of critical habitat for this species will not constitute a major action under Executive Order 12291 and certifies that this designation will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The entire critical habitat area for the Heliotrope milk-vetch is administered by the Forest Service. Currently, Forest Service management of the critical habitat is apparently compatible with designation of critical habitat. Therefore, no significant economic impacts are expected to result from the critical habitat designation. In addition, no direct costs, enforcement costs, or information collect, or recordkeeping requirements are imposed on small entities by the designation. These determinations are based on a Determination of Effects that is available from the Service's Denver Regional Office Endangered Species Staff (see **ADDRESSES** section above).

References

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Isely, D. 1983. New combinations and two new varieties in *Astragalus, Orophaca,* and *Oxytropis* (Leguminosae). Systematic Botany 8:420–426.

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Authors

The primary authors of this final rule are Dr. James L. Miller and Mr. John L. England (see **FOR FURTHER INFORMATION CONTACT** section above).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Regulations Promulgation

Accordingly, Part 17, Subchapter B of Chapter I, Title 50 of the Code of Federal

Regulations, is amended as set forth below:

PART 17—[AMENDED]

1. The authority citation for Part 17 continues to read as follows:

Authority: Pub. L. 93–205, 87 Stat. 884; Pub. L. 94–359, 90 Stat. 911; Pub. L. 95–632, 92 Stat. 3751; Pub. L. 96–159, 93 Stat. 1225; Pub. L. 97–304, 96 Stat. 1411 (16 U.S.C. 1531 *et seq.*).

2. Amend §17.12(h) by adding the following, in alphabetical order under the family Fabaceae, to the List of Endangered and Threatened Plants:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species						
Scientific name	Common name	Historic range	Status	When listed	Critical habitat	Special rules
*	*	*	*	*		
Fabaceae—Pea family:						
Astragalus montii	Heliotrope milk-vetch	U.S.A. (UT)	T	299	17.96(a)	NA
*	*	*	*	*		

3. Amend §17.96(a) by adding critical habitat *Astragalus montii*, in the same alphabetical order as the species appears in §17.12(h).

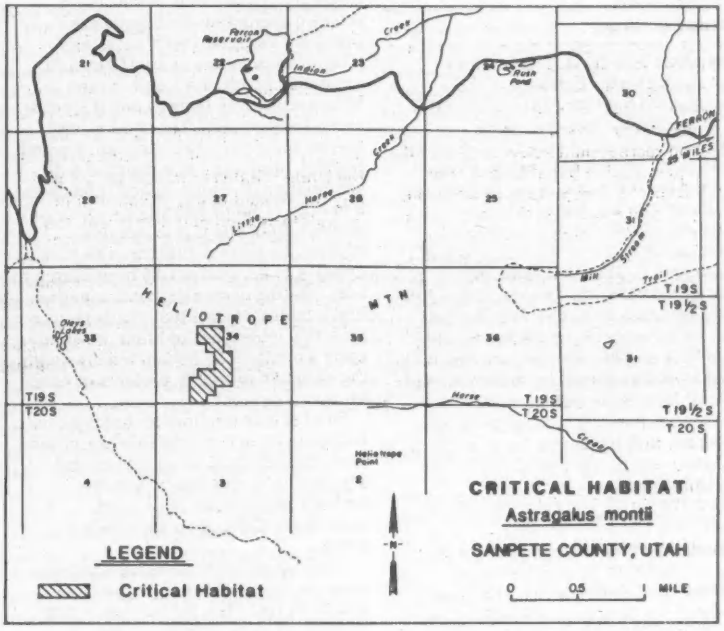
§ 17.96 Critical habitat—plants.

(a) * * *

* * * * *

Family Fabaceae: *Astragalus montii* (Heliotrope milk-vetch)

Utah, Sanpete County, western Heliotrope Mountain. T19S R4E, Sec. 34, SE ¼ of SW ¼ of SE ¼ of NW ¼; S ½ of SE ¼ of SE ¼ of NW ¼; NE ¼ of NW ¼ of NE ¼ of SW ¼; NE ¼ of NE ¼ of SW ¼; E ½ of SE ¼ of NE ¼ of SW ¼; NE ¼ of NW ¼ of SE ¼ of SW ¼; S ½ of NW ¼ of SE ¼ of SW ¼; NW ¼ of SE ¼ of SW ¼; N ½ of SW ¼ of SE ¼ of SW ¼; SW ¼ of SW ¼ of SE ¼ of SW ¼; W ½ of SE ¼ of NW ¼ of SE ¼; NW ¼ of NW ¼ of SW ¼ of SE ¼. The primary constituent element is the white limestone barrens of the Flagstaff Formation.



* * * * *

Dated: September 21, 1987

Susan Recce,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 87-25731 Filed 11-5-87; 8:45 am]

BILLING CODE 4310-55-M

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Two Florida Lizards

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Service determines threatened status pursuant to the Endangered Species Act (Act) of 1973, as amended, for the sand skink (*Neoseps reynoldsi*) and the blue-tailed mole skink (*Eumeces egregius lividus*). Critical habitat is not being determined for these species. A special rule allowing take for certain purposes in accordance with Florida State Law is promulgated. The sand skink is restricted to Marion, Orange, Lake, Polk, and Highlands Counties, Florida; the blue-tailed mole skink is known only from Polk and Highlands Counties. Both skinks are threatened by the conversion of their habitat for agricultural, residential, and commercial purposes. This rule will implement the protection and recovery provisions of the Act for the two lizards.

EFFECTIVE DATE: The effective date of this rule is December 7, 1987.

ADDRESSES: The complete file for this rule is available for inspection, by appointment, during normal business hours at the Jacksonville Field Office, U.S. Fish and Wildlife Service, 2747 Art Museum Drive, Jacksonville, Florida 32207.

FOR FURTHER INFORMATION CONTACT: David J. Wesley, Field Office Supervisor, at the above address (904/791-2580 or FTS 946-2580).

SUPPLEMENTARY INFORMATION:

Background

The sand skink (*Neoseps reynoldsi*) was described by Stejneger (1910). He established a new genus for this unique lizard, which is adapted to a fossorial (underground) existence. The sand skink is the only North American skink completely specialized for "swimming" through loose sandy soils. The sand skink measures 10-13 centimeters (4-5 inches) in total length and is gray to tan in color. The forelegs are tiny and bear only one toe; the hindlegs are small and have two toes. The tail comprises about half the animal's total length. The sand skink has a wedge-shaped head, a partially countersunk lower jaw, body grooves into which the forelegs can be folded, and small eyes which have transparent windows in the lower lids. These features enable the sand skink to "swim" beneath the surface of loose sand. This lizard is known only from the high sandy ridges of Lake, Marion, Orange, Polk, and Highlands Counties, Florida.

The sand skink has been studied by Cooper (1953), Telford (1959, 1962), Myers and Telford (1965), Campbell and Christman (1982), and Smith (1982). Areas occupied by the lizards are primarily vegetated with sand pine (*Pinus clausa*)—rosemary (*Ceratiola ericoides*) scrub or a longleaf pine (*Pinus palustris*)—turkey oak (*Quercus laevis*) association. The sand skink spends most of its time beneath the soil surface, burrowing to a depth of 5-10 centimeters (2-4 inches) and it feeds on a variety of small arthropods, principally beetle larvae, termites, spiders, and larval antlions. The species appears to be most active from March to May. Mating occurs during this period, and females deposit two elongate eggs, probably under logs or other cover, in early summer. The female remains with the eggs and probably protects or cares for them (broods).

Sand skinks are host to three endemic endoparasites: the flagellate protozoans *Monocercomonas neosepsorum* and *Rigidomastix scincorum*, and an undescribed species of oxyurid nematode, *Thelandros* sp. (Telford 1969).

The blue-tailed mole skink (*Eumeces egregius lividus*) was described by Mount in 1965. The species has a long cylindrical body with small legs. It reaches 9-15 centimeters (3-6 inches) in total length, the body making up less than half this length. The tail is blue in young animals, but may become pinkish with age or if regenerated. The blue-tailed mole skink is known only from Polk and Highlands County, Florida. Like the sand skink, it is found in sand pine-rosemary vegetation, or, less frequently, in longleaf pine-turkey oak communities. Little is known about the life history of the blue-tailed mole skink. Mount (1963) provided life history information based primarily on studies of the closely related peninsular mole skink (*Eumeces egregius onocrepis*). The life history of the blue-tailed mole skink is probably similar to that of the peninsular mole skink. This includes: (1) Mating during fall and winter, (2) clutch sizes ranging from three to seven eggs which are laid underground in the spring, and (3) achievement of sexual maturity during the first year. Mole skinks forage on the surface or up to 5 centimeters (2 inches) underground, and feed principally on cockroaches, spiders, and crickets.

The distribution and availability of moisture seem to be important factors that account for distributional patterns of sand and blue-tailed mole skinks within sand scrub communities. Telford (1959) suggested that food supply and moisture are important factors in the selection of areas by sand skinks within sand scrub communities. He found that skinks did not inhabit substrates where the sand was dry and porous. Rather, skinks were most frequently found in the ecotone between rosemary scrub and palmetto-pine flatwoods where moisture was present beneath surface litter (i.e. bark), and in sand starting at a depth of 2 centimeters (1 inch). Moisture may be important for this lizard to maintain internal body temperatures within a preferred range, as well as to provide a microclimate necessary for egg incubation and an abundant food source.

Christman (1978) noted that blue-tailed mole skinks were not dispersed throughout seemingly suitable habitat, but rather in localized pockets. He also noted that these skinks were often found under surface litter. Considering Telford's (1959) observation of moisture under litter, the uneven distribution of blue-tailed mole skinks, as noted by Christman, may be a function of the nonrandom distribution of surface litter; moisture associated with litter is probably important for thermoregulation, feeding (abundant food resource), and nesting. The Arizona skink (*Eumeces gilberti arizonensis*), a lizard that also inhabits areas with sand substrates, is highly dependent on surface litter for occurrence in riparian habitats within the Sonoran Desert; its distribution is closely tied to the occurrence of surface litter (Jones and Glinski 1985).

Although blue-tail mole skinks can be found together with sand skinks under surface litter, the two species appear to occupy different microhabitats most of the time (see previous discussion). This conclusion is supported by comparing the diets of the two species; sand skinks eat mostly fossorial invertebrates and mole skinks eat mostly surface-dwelling invertebrates. Comparison of these two species' diets also suggest that they do not compete for food.

Sand pine scrub and sandhill areas where the sand skink and blue-tailed mole skink occur are threatened by a variety of factors. These high, well-

drained sites are suitable for citrus groves, and residential, commercial, and recreational development. From 1960 to 1978 Florida's citrus production doubled, and most of the increase in acreage of these crops was in southern counties (Fernald 1981). Peroni and Abrahamson (1985) estimated that 64 percent of these xeric upland habitats in the southern Lake Wales Ridge had been converted to improved pasture, cultivation, or housing by 1981. An additional ten percent of the uplands had been moderately disturbed. This trend of land use has continued since 1981, with increased pressure on the citrus industry to move southward down the Florida peninsula following severe freezes during the winters of 1983–1984 and 1984–1985. The Lake Wales ridge includes most of the range of the sand skink, and the entire range of the blue-tailed mole skink.

Because of isolation of the higher portions of the Florida peninsula by higher sea levels at various periods since the Pliocene, considerable plant and animal endemism has occurred. The conversion of these upland areas for agricultural, residential, recreational and commercial purposes in recent times has caused the ranges of many endemic Florida plants and animals to become greatly reduced and fragmented.

Twelve Federally-listed plant species are restricted to Florida's scrub areas: Lakela's mint (*Dicerandra immaculata*), scrub mint (*D. frutescens*), longspurred mint (*D. cornutissima*), four-petal pawpaw (*Asimina tetramera*), pygmy fringe tree (*Chionanthus pygmaeus*), snakeroot (*Eryngium cuneifolium*), Highlands scrub hypericum (*Hypericum cumulicola*), wireweed (*Polygonella basiramia*), scrub plum (*Prunus geniculata*), Carter's mustard (*Warea carteri*), papery whitlow-wort (*Paronychia chartacea*), and the scrub lupine (*Lupinus aridorum*). Also, the Florida scrub jay (*Aphelocoma coerulescens coerulescens*) has been Federally-listed. Numerous other plants and animals of Florida's scrub habitats are candidates for listing.

The sand skink and the blue-tailed mole skink were considered Category 2 candidates for listing in the Service's December 30, 1982 (47 FR 58454), and September 18, 1985 (50 FR 37958), vertebrate review notices. The proposed rule to list both species as threatened was published in the **Federal Register** on January 21, 1987 (52 FR 2242).

Summary of Comments and Recommendations

In the January 21, 1987, proposed rule (52 FR 2242) and associated notifications, all interested parties were requested to submit factual reports or information that might contribute to the development of a final rule. Appropriate State agencies, county governments, Federal agencies, scientific organizations, and other interested parties were contacted and requested to comment. Newspaper notices, inviting general public comment, were published in the *Winterhaven News Chief* (February 14, 1987); the *Ocala Star-Banner* (February 17, 1987); the *Sebring News-Sun* (February 15, 1987); the *Leesburg Commercial* (February 17, 1987); and the *Orlando Sentinel* (February 15, 1987). Eight comments were received and are discussed below.

The Florida Game and Fresh Water Fish Commission, the Florida Natural Areas Inventory, and three private individuals supported the proposal. Two zoologists supported the proposal; one included information on another site for both skink species in Polk County. The Society for the Study of Amphibians and Reptiles (The Society) supported the listing of the two skinks, but suggested that, since habitat destruction, not collecting, is the principal threat to these species, designation of critical habitat would enhance their protection. The Society further suggested that a Federal collecting permit should be required for the two skinks, to be consistent with other Federally-listed species. The Society suggested that such consistency would be less cumbersome administratively. *Service response:* As explained under the critical habitat section, the Service continues to believe that there would be no net benefit of critical habitat designation for these species (see "Critical Habitat" section). With respect to collecting permits, the Service does not believe that the special rule delegating this responsibility to the State is inconsistent. Special rules for threatened species are intended to provide for regulatory flexibility. The proposal to delegate this authority was developed in consultation with herpetologists in Florida who have conducted conservation-oriented research on Federally-listed reptiles and amphibians. All concurred that the State permitting system is fully capable of regulating taking of the sand skink and blue-tailed mole skink. The existing rules of the Florida Game and Fresh Water Fish Commission (FGFWFC) (Florida Administrative Code Title 39–27.02) apply strict standards to granting permits, and applications are reviewed rigorously. A Federal permit review would result in administrative duplication of the permit process. It should be pointed out that the FGFWFC already has considerable permitting authority over Federally-listed animals through its Section 6 agreement with the Service, pursuant to the Endangered Species Act.

Summary of Factors Affecting the Species

After a thorough review and consideration of all information available, the Service has determined that the sand skink and the blue-tailed mole skink should be classified as threatened species. Section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations (50 CFR Part 424) promulgated to implement the listing provisions of the Act were followed. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). These factors and their application to the sand skink (*Neoseps reynoldsi*) and the blue-tailed mole skink (*Eumeces egregius lividus*) are as follows:

A. *The present or threatened destruction, modification, or curtailment of its habitat or range.* The sand skink is known from Marion, Lake, Orange, Polk, and Highlands Counties, Florida. The Florida Natural Areas Inventory has records of 31 sites for this species. The lizard probably also occurs at other sites where suitable habitats remain. These habitats, however, have been reduced to a small amount of their original extent, and destruction of much of the remainder is ongoing or likely in the foreseeable future, particularly at privately owned sites. Some degree of habitat protection occurs for the sand skink at the following seven locations.

1. Ocala National Forest, Marion County—the species is known from several sites, although the distribution is apparently spotty.

2. Lake Louisa State Park, Lake County—less than 50 acres of suitable habitat exists at this site.

3. Tiger Creek Preserve, Polk County—this site, owned by The Nature Conservancy, supports several hundred acres which may be suitable for the sand skink.

4. Archbold Biological Station, Highlands County—this private research institution encompasses about 3,900 acres; about 2,400 acres are xeric habitats inhabited by the sand skink in varying densities (Dr. James N. Layne, pers. comm.).

5. Wekiwa Springs State Park, Orange County—the status of the sand skink here is uncertain, but there may be several hundred acres of xeric habitat suitable for the species.

6. Saddle Blanket Lakes Preserve, Polk County—this site, owned by The Nature Conservancy, includes only 55 acres of

scrub, but the State of Florida proposes to acquire about 750 additional acres nearby under its Conservation and Recreation Land Program.

7. Bok Tower Nature Preserve, Polk County—Dr. I. Jack Stout (pers. comm.) recently discovered sand skinks (and blue-tailed mole skinks) on about 20 acres of this protected site.

The sand skink is likely to occur at Lake Arbuckle State Park and Wildlife Management Area, Polk County, which includes about 13,500 acres; but only a portion of this is scrub.

The blue-tailed mole skink is restricted to Polk and Highlands Counties, Florida. It occurs at many of the same sites as the sand skink, but north of Polk County it is replaced by the peninsula mole skink (*Eumeces egregius onocrepis*) or by intergrades with that subspecies (Mount 1965, Christman 1970). The Florida Natural Areas Inventory records only 20 sites for this subspecies, but it probably occurs at additional sites where scrub and sandhill habitats remain. Dr. Steve Christman (pers. comm.) has found the blue-tailed mole skink to be much less numerous than the sand skink where the two species coexist in scrub habitats. The total habitat for the blue-tailed mole skink has greatly declined, paralleling the 64 percent decline in xeric habitats of the south Lake Wales ridge documented by Peroni and Abrahamson (1985). Mount (1965) estimated that less than 50,000 acres of habitat for the blue-tailed mole skink remained in the 1960's. According to Peroni and Abrahamson (1985), 23,200 acres of xeric habitats remained in Highlands County in 1981, but not all of this acreage would be expected to support the blue-tailed mole skink. The rate of possible habitat destruction is serious and much of this species' range occurs on private lands. The species is protected on Archbold Biological Station, and is also recorded fron Lake Kissimmee State Park, where its status is unknown. The blue-tailed mole skink is also likely to occur on the protected lands mentioned above near Lake Arbuckle, Saddle Blanket Lakes, and Tiger Creek.

B. *Overutilization for commercial, recreational, scientific, or educational purposes.* Both the sand skink and the blue-tailed mole skink are unique Florida endemics with limited ranges. They are therefore of interest to both amateur reptile collectors and scientific collectors, although there is currently no known serious impact due to collecting.

C. *Diseases or predation.* No threats are known.

D. *The inadequacy of existing regulatory mechanisms.* The sand skink and the blue-tailed mole skink are considered threatened by the Florida Game and Fresh Water Fish Commission (Chapter 39–27, Florida Administrative Code). This legislation prohibits take, except under permit, but does not provide any direct habitat protection to these species. Therefore, the Endangered Species Act of 1973, as amended, would provide additional protection for the blue-tailed mole and sand skinks and their habitat through section 7 (interagency cooperation), as well as through the prohibitions of section 9(a)(1) and provisions of section 4(d) and for recovery planning.

E. *Other natural or manmade factors affecting its continued existence.* Sand pine scrub and longleaf pine communities are both fire dependent. The sand pine is adapted to fire at long (20–50 year) intervals; the peninsular populations of this tree do not shed seeds until the cones are opened by fire. If fire is suppressed in sand pine scrub, succession to xeric hardwood forest eventually occurs. Because of the large expanses of open sand and the slow accumulation of litter in sand pine scrub, fires occur only at infrequent intervals. Longleaf pine communities are dependent on more frequent fires (1–8 year intervals). Lack of fire will result in these communities succeeding to scrub or eventually to hardwoods. Therefore, lack of fire or changes in land use could eventually eliminate the sand skink or blue-tailed mole skink from localities where they currently exist.

Campbell and Christman (1982) studied the reptiles and amphibians occurring in sandhills and scrub. They suggested that this fauna was not associated with particular plant associations but with physical factors, namely, well-drained sands with open areas free of rooted vegetation. They found that the sand skink and mole skink populations in Ocala National Forest (ONF) were most abundant in early successional stages of sand pine scrub. The clear-cutting and even-age stand management of sand pines in ONF appeared to have a similar effect to the natural fire regime typical of sand pine. Although both lizards seem to benefit from the opening and clearing of sand pine communities, it may be important to leave widely scattered surface litter when clear-cutting (see earlier discussion on the importance of litter in the "Background" section).

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by these species in determining to make this rule final. Based on this evaluation, the preferred action is to list the sand skink and the blue-tailed mole skink as threatened species. Neither species is currently in danger of extinction, because both occur on protected lands. Both, however, have already lost substantial portions of their original habitat throughout their ranges and could decline even on the protected areas where they occur. Both species could become endangered over all or a significant portion of their range in the foreseeable future. Therefore, they meet the Act's definition of threatened species. The reasons for not designating critical habitat for these species are discussed below in the "Critical Habitat" section.

Critical Habitat

Section 4(a)(3) of the Act, as amended, requires that to the maximum extent prudent and determinable, the Secretary designate critical habitat at the time a species is determined to be endangered or threatened. The Service finds that designation of critical habitat is not prudent for the sand skink and blue-tailed mole skink at this time. Although the primary threat to both species is habitat destruction, the number of localities at which each species occurs is limited. Excessive collecting could adversely affect these skinks. Because of its unusual morphology and behavior, the sand skink could be of considerable interest both to amateur reptile collectors and scientific collectors. Taking prohibitions on these species would be difficult to enforce. Publication of critical habitat descriptions would increase the vulnerability of these species and increase enforcement problems. All involved Federal agencies will be notified of the location and importance of protecting these species' habitat. Habitat protection can be adequately addressed through the recovery process and through the section 7 jeopardy standard. Therefore, it would not be prudent to determine critical habitat for the sand skink and the blue-tailed mole skink at this time.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, State, and private agencies, groups, and individuals. The Endangered Species Act provides for possible land acquisition and cooperation with the States and requires that recovery actions be carried out for all listed

species. Such actions are initiated by the Service following listing. The protection required of Federal agencies and the prohibitions against taking and harm are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR Part 402. Section 7(a)(2) requires Federal agencies to insure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of a listed species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service. The sand skink occurs on Ocala National Forest. Present forest management practices (block clearcutting) appears to result in successional changes favorable to the continued existence of the sand skink there (Campbell and Christman 1982). Changes in management practices could result in section 7 consultation between the Forest Service and the Fish and Wildlife Service. This situation already exists, however, because of other Federally-listed species already occurring on Ocala National Forest.

The Act and implementing regulations found at 50 CFR 17.21 and 17.31 set forth a series of general prohibitions and exceptions that apply to all threatened wildlife. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to take a listed species, import or export it, ship it in interstate commerce in the course of commercial activity, or sell or offer it for sale in interstate or foreign commerce. It also is illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that had been taken illegally. Certain exceptions apply to agents of the Service and State Conservation agencies.

The above discussion generally applies to threatened species of fish or wildlife. However, the Secretary has the discretion under section 4(d) of the Act to issue special regulations for a threatened species that are necessary and advisable for the conservation of the species. The blue-tailed mole and sand skinks are threatened primarily by habitat disturbance or alteration, not by intentional direct taking or by commercialization. Given this fact, and the fact that the State of Florida currently regulates direct taking of these species through the requirement of State collecting permits, the Service has concluded that the State of Florida's collection permit system is more than adequate to protect the species from excessive taking, so long as such taking is limited to educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Endangered Species Act. Therefore, a special rule is promulgated which allows take to occur for the above stated purposes, without the need for a Federal permit, if a State collecting permit is obtained and all other State wildlife conservation laws and regulations are satisfied. Taking of these species for purposes other than those described above, including taking incidental to carrying out otherwise lawful activities, is prohibited except when permitted under 50 CFR 17.23 and 17.32. The special rule will allow for more efficient means of controlling take of these lizards, and thus will enhance their conservation. For these reasons, the Service concludes that this regulation is necessary and advisable for conservation of the blue-tailed mole and sand skinks.

General regulations governing the issuance of permits to carry out otherwise prohibited activities involving threatened wildlife species, under certain circumstances, are set out at 50 CFR 17.22, 17.23, and 17.32.

National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

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Author

The primary author of this final rule is Dr. Michael M. Bentzien (see **ADDRESSES** above).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Regulations Promulgation

Accordingly, Part 17, Subchapter B of Chapter I, Title 50 of the Code of Federal Regulations, is amended as set forth below:

PART 17—[AMENDED]

1. The authority citation for Part 17 continues to read as follows:

Authority: Pub. L. 93–205, 87 Stat. 884; Pub. L. 94–359, 90 Stat. 911; Pub. L. 95–632, 92 Stat. 3751; Pub. L. 96–159, 93 Stat. 1225; Pub. L. 97–304, 96 Stat. 1411 (16 U.S.C. 1531 *et seq.*); Pub. L. 99–625, 100 Stat. 3500 (1986), unless otherwise noted.

2. Amend § 17.11(h) by adding the following, in alphabetical order under

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REPTILES, to the List of Endangered and Threatened Wildlife:

§ 17.11 Endangered and threatened wildlife.

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Reptiles:							
Skink, blue-tailed mole	*Eumeces egregius lividus*	U.S.A. (FL)	Entire	T	298	NA	17.42(d)
Skink, sand	*Neoseps reynoldsi*	U.S.A. (FL)	Entire	T	298	NA	17.42(d)

3. Amend § 17.42 by adding new paragraph (d), as follows:

§ 17.42 Special rules—reptiles.

(d) Blue-tailed mole skink (*Eumeces egregius lividus*) and sand skink (*Neoseps reynoldsi*). (1) No person shall take these species, except in accordance with applicable State fish and wildlife conservation laws and regulations for educational purposes, scientific purposes, the enhancement or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to taking of these species is also a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatever, any such species taken in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraph (c) (1) through (3) of this section.

(5) Taking of these species for purposes other than those described in paragraph (c)(1) of this section, including taking incidental to carrying out otherwise lawful activities, is prohibited except when permitted under §§ 17.23 and 17.32.

Dated: October 22, 1987.

Susan Recce,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 87-25687 Filed 11-5-87; 8:45 am]

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Proposed Rules

Federal Register
Vol. 52, No. 215
Friday, November 6, 1987

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF COMMERCE

International Trade Administration

15 CFR Ch. III

[Docket No. 71034-7234]

Request for Comments on Effects of Foreign Policy-Based Export Controls

AGENCY: Export Administration, Commerce.

ACTION: Notice of request for comments on foreign policy-based export controls.

SUMMARY: The Office of Technology and Policy Analysis (OTPA), Export Administration, is reviewing the foreign policy-based export controls in the Export Administration Regulations (15 CFR Parts 368 through 399) to determine whether they should be modified, rescinded or extended. To assist OTPA in making this determination, OTPA is seeking comments on how existing foreign policy-based controls have affected exporters and the general public.

DATE: Comments must be received by December 21, 1987, to assure full consideration in the formulation of export control policies.

ADDRESS: Written comments (six copies) should be sent to Vincent Greenwald, Regulations Branch (Room 1622), Office of Technology and Policy Analysis, Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

FOR FURTHER INFORMATION CONTACT: Joan Sitnik, Country Policy Branch, Office of Technology and Policy Analysis, Export Administration, Telephone: (202) 377-4830.

SUPPLEMENTARY INFORMATION: Generally, the foreign policy controls maintained by Export Administration relate to the following:

Human rights (§ 376.14), South Africa and Namibia (§ 385.4(a)), Libya (§ 385.7), anti-terrorism (§ 385.4(d)), chemical warfare (§ 385.4(e)), regional stability (§ 376.16), embargoed communist countries (§ 385.1), and truck manufacturing equipment for the Soviet Kama River and ZIL truck plants (§ 385.2(e)).

The licensing policies for these control programs are defined in Parts 376 and 385 of the Export Administration Regulations.

Some of these controls are mandated by statute, while others have beem imposed administratively.

On January 20, 1987, the Department submitted a report to Congress extending foreign policy controls for another year (52 FR 2500). All foreign policy export controls in effect as of that date were extended, with the exception of non-strategic oil and gas equipment export controls to the Soviet Union. Subsequently, other foreign policy controls have been established, as outlined below.

On June 18, 1987 (52 FR 23167), the Department published expanded foreign policy (anti-terrorism) controls on exports to Syria. The new controls apply to all national security-controlled goods and technical data, regardless of end-user, and to any aircraft and helicopters, and related parts and components. In addition, the June 18 rule reflects section 509(b) of the Omnibus Diplomatic Security and Anti-Terrorism Act of 1986, which amended section 6(j)(1) of the Export Administration Act to require notification to Congress of license applications subject to anti-terrorism controls valued at $1 million or more at least 30 days before approval. Previously, the Congressional notification requirements had been $7 million.

On July 31, 1987 (52 FR 28544), the Department of Commerce published foreign policy export controls on certain types of equipment and related technical data that could be used in the development and production of missiles capable of delivering nuclear weapons. These controls are intended to limit the proliferation of such missiles, to increase regional stability, and to publicly convey the United States firm resolve to address an issue of mounting concern. No new export license requirements were imposed on commodities by the July 31 rule; all the affected commodities had required a license for national security reasons. However, new validated license requirements were imposed for certain technical data.

On July 31, 1987 (52 FR 28550), the Department of Commerce imposed foreign policy controls on the export of certain chemicals to prevent their use in chemical warfare. Five chemicals were controlled to all destinations except 18 industrialized nations, and eight other chemicals were added to those already controlled to Iran, Iraq, and Syria. The regulation restricts access by Iran, Iraq, and Syria to U.S.-origin chemicals for use in chemical warfare, while publicly conveying U.S. opposition to the use of chemical weapons.

On October 1, 1987 (52 FR 36756), the Department of Commerce published foreign policy controls on the export of self-contained underwater breathing apparatus (scuba gear) to Iran. These controls are a response to the threat to the foreign policy and strategic interests of the United States.

Parties submitting comments are asked to be as specific as possible. Respondents, however, are reminded that the Department is soliciting only information that can be used publicly. Confidential business information will not be accepted. Any information so designated will be returned to the commenter.

To assure maximum public participation in the review process, comments on the extension or revision of the existing foreign policy controls are solicited. The Department is particularly interested in the experience of individual exporters in complying with these controls, with emphasis on economic impact and specific instances of business lost to foreign competitors.

All comments received before the close of the comment period will be considered by the Department in developing the 1988 foreign policy report to Congress. The Department considers the following criteria in determining whether to continue or revise U.S. foreign policy export controls:

1. The probability that such controls will achieve the intended foreign policy purpose, in light of the availability from other countries of the goods or technology proposed for such controls, and that the foreign policy purpose cannot be achieved through negotiations or other means;

2. The compatibility of the proposed controls with the foreign policy objectives of the United States and with overall United States policy toward the

country to which exports are to be subject to the proposed controls;

3. The likelihood that the reaction of other countries to the extension of such export controls by the United States will not render the controls ineffective in achieving the intended foreign policy purpose or be counterproductive to United States foregn policy interests;

4. The detrimental effect of the proposed controls on the export performance of the United States, the competitive position of the United States in the international economy, the international reputation of the United States as a supplier of goods and technology, or the economic well-being of individual United States companies and their employees and communities does not exceed the benefit to United States foreign policy objectives;

5. The ability of the United States to enforce the proposed controls effectively; and

6. The foreign policy consequences of not extending the export controls.

All comments will become a matter of public record and will be available for public inspection and copying. In the interest of accuracy and completeness, comments in written form are required. If oral comments are received, they must be followed by written memoranda that will be a matter of public record and will be available for public review and copying. Communications from agencies of the United States Government or foreign governments will not be made available for public inspection.

The public record concerning these comments will be maintained in the Freedom of Information Records Inspection Facility, Room 4104, Department of Commerce, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230. Records in this facility, including written public comments and memoranda summarizing the substance of oral communications, may be inspected and copied in accordance with regulations published in Part 4 of Title 15 of the Code of Federal Regulations. Information about the inspection and copying of records at this facility may be obtained from Patricia Mann, Freedom of Information Officer, at the above address or by calling (202) 377–3031.

Authority: Pub. L. 96–72, 93 Stat. 503 (50 U.S.C. app. 2401 *et seq.*), as amended by Pub. L. 97–145 of December 29, 1981 and by Pub. L. 99–64 of July 12, 1985; E.O. 12525 of July 12, 1985 (50 FR 28757, July 16, 1985); Pub. L. 95–223 of December 28, 1977 (50 U.S.C. 1701 *et seq.*); E.O. 12532 of September 9, 1985 (50 FR 36861, September 10, 1985) as affected by notice of September 4, 1986 (51 FR 31925, September 8, 1986); Pub. L. 99–440 of October 2, 1986 (22 U.S.C. 5001 *et seq.*); E.O. 12571 of October 27, 1986 (51 FR 39505, October 29, 1986); and E.O. 12543 of January 7, 1986, (51 FR 875, January 9, 1986).

Dated: November 3, 1987.

Vincent F. DeCain,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 87–25761 Filed 11–5–87; 8:45 am]

BILLING CODE 3510-DT-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Commodity Planning and Development

24 CFR Parts 575 and 576

[Docket No. R–87–1359; FR–2387]

Emergency Shelter Grants Program; Stewart B. McKinney Homeless Assistance Act

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Proposed rule.

SUMMARY: This proposed rule would implement the Emergency Shelter Grants program established by the Stewart B. McKinney Homeless Assistance Act. The program authorizes HUD to make grants to States, units of general local government, and private nonprofit organizations for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, and for the payment of certain operating expenses and essential social service expenses in connection with emergency shelter for the homeless.

The purpose of the program is to help improve the quality of emergency shelters for the homeless, to make available additional emergency shelters, and to meet the costs of operating emergency shelters and of providing essential social services to homeless individuals, so that these individuals have access not only to safe and sanitary shelter, but also to the supportive services and other types of assistance they need to improve their situations.

DATE: Comments due January 5, 1988.

ADDRESS: Interested persons are invited to submit comments to the Rules Docket Clerk, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410. Communications should refer to the above docket number and title. A copy of each communication will be available for public inspection during regular business hours at the above address.

FOR FURTHER INFORMATION CONTACT: James R. Brougham, Director, Entitlement Cities Division, Room 7282 Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410, telephone (202) 755–5977. For matters relating to Emergency Shelter Grants to States, James N. Forsberg, Director, State and Small Cities Division, Room 7184, telephone (202) 755–6322. Hearing or speech impaired individuals may call HUD's TDD number: (202) 426–0015. (These are not toll-free telephone numbers).

SUPPLEMENTARY INFORMATION:

Background

On July 22, 1987, the President approved the Stewart B. McKinney Homeless Assistance Act (Pub. L. 100–77) (the "McKinney Act"). Subtitle B of Title IV of the McKinney Act [1] reauthorized (with amendment) the Emergency Shelter Grants program contained in the Homeless Housing Act of 1986.[2]

Section 416(a) of the McKinney Act provided the following guidance on implementing the 1987 ESG program:

(a) *Regulations.* Not later than 60 days after the date of enactment of this Act, the Secretary shall by notice establish such requirements as may be necessary to carry out the provisions of this subtitle. Such requirements shall be subject to section 553 of title 5, United States Code. The Secretary shall issue requirements based on the initial notice before the expiration of the 12-month period following the date of enactment of this Act. Prior to the issuance of such requirements in final form, the requirements established by the Secretary implementing the provisions of the emergency shelter grants program under the provisions made effective by [the Homeless Housing Act of 1986] shall govern the emergency shelter grants program under this subtitle.

On September 4, 1987, the Department published a Notice in the **Federal Register** (52 FR 33790), announcing the requirements that govern the allocation and use of amounts appropriated for the 1987 ESG program by the Supplemental Appropriations Act, 1987. (Pub. L. 100–

[1] For ease of reference, this rule refers to the Emergency Shelter Grants program authorized by the McKinney Act as the "1987 ESG program."

[2] Sec. 101(g), Pub. L. 99–500 (approved October 18, 1986) Pub. L. 99–591 (approved October 30, 1986), making appropriations as provided for in Part C of Title V of H.R. 5313, 99th Cong., 2d Sess. (1986) (as passed by the House of Representatives and by the Senate), to the extent and in the manner provided for in H. Rep. No. 977, 99th Cong., 2d Sess. (1986). For ease of reference, this rule refers to the Emergency Shelter Grants program established by the Homeless Housing Act 1986 as the "1986 ESG program."

71, approved July 11, 1987). Consistent with section 416(a), the Notice stated:

> Funds authorized under the 1987 program and appropriated under the Supplemental Appropriations Act will be governed by the proposed rule and program requirements for the 1986 ESG program (51 FR 45278, December 17, 1986, adding a new 24 CFR Part 575) and by the modifications discussed in this Notice * * *. When a final rule for the 1986 ESG program becomes effective, that rule and the modifications contained in this Notice will govern the 1987 program.
>
> The Department will implement by notice and comment rulemaking the remainder of the 1987 ESG legislation * * * (52 FR 22790–91).

The 1987 ESG program provisions that were implemented in the September 4 Notice included the requirement for a Comprehensive Homeless Assistance Plan [3] and certain grant allocation and reallocation requirements. On October 19, 1987 (52 FR 38864), the Department published the final rule for the 1986 ESG Program which will govern the 1987 program until a final rule for the 1987 program takes effect. The current proposed rule will codify the entire 1987 program, and will form the basis for the issuance of a final rule to govern the 1987 program.

The 1987 ESG Program

As noted above, the 1987 ESG program is a reauthorization of the 1986 program, with a number of amendments. A discussion of these changes, keyed to the final rule for the 1986 ESG program, follow.

1. Comprehensive Homeless Assistance Plan

Subtitle A of Title IV of the McKinney Act prohibits ESG assistance from being made available to, or within the jurisdiction of, a State, or a metropolitan city or urban county that is eligible to receive an ESG formula allocation,[4] unless the jurisdiction has a HUD-approved Comprehsensive Plan. As of the publication date of this proposed rule, Comprehensive Plans from all of the 50 States and the Commonwealth of Puerto Rico have been received and approved by the Department. On August 14, 1987, the Department published a Notice in the **Federal Register** (52 FR 30628) establishing requirements for the Plan. Among other things, the Notice specifies the jurisdictions that are subject to the Plan's funding prohibition, and describes Subtitle A's effect on the applicants and recipients under each of the programs of Title IV of the Act, including the ESG program. The Notice also specifies (1) the required Plan's content, (2) timing and procedures for the submission of proposed Plans to HUD, (3) HUD's review and approval of Plans, and (4) State or local reviews and reports on progress in carrying out the Plans. All potential grantees and recipients of ESG assistance—both those that may receive amounts directly by formula or reallocation and those that may receive amounts through other grantees or recipients—are encouraged to familiarize themselves with the requirements contained in the August 14, 1987 Notice.

Subpart C of the proposed rule contains the requirements for the Comprehensive Plan. It provides that no grant amounts may be made available for formula allocations or reallocations to States, ESG formula cities or counties, or Territories that do not have an approved Plan. Reallocation amounts may be made available to non-formula units of general local government and to private nonprofit organizations, only if the jurisdiction in which the proposed activities are to be located has an approved Plan. For units of general local government, the State must have an approved Plan. For nonprofits, if the proposed activities are to be located in a formula city or county, the city or county must have the approved Plan; if the proposed activities are to be located outside such a city or county, the State must have the approved Plan.

Subpart C also reiterates the statutory prohibitions against making grant amounts to, or within the jurisdiction of, any State or formula city or county that does not annually (1) review its progress in carrying out its Plan and (2) report the results of its review to HUD. The Subpart also states that HUD will publish Plan requirements in the **Federal Register**, as necessary.

Proposed § 576.51(b)(2)(i) would implement the statutory requirement that applications for ESG assistance have a certification from the official responsible for submitting the Plan for the jurisdiction in which the proposed activities are to be located, that the activities are consistent with the Plan. Proposed § 576.51(c) would establish requirements for further submission of the certification if, at any time after submission of its application, an applicant or grantee (as appropriate) proposes a substantial change in its proposed use of shelter grant funds. Grantees would be barred from obligating, and could not allow State recipients and nonprofit recipients to obligate, grant amounts for the revised proposed use of funds, until HUD accepts the new certification. The Department notes that if the revised proposed use of funds would not be consistent with the applicable HUD-approved Comprehensive Plan, submission of a new certification would require amendment of the Plan. See the August 14, 1987 Notice referred to above for more information on amendments to Comprehensive Plans.

2. "Homeless Person"

Section 576.5 contains the definition of "homeless," as defined in section 103 of the McKinney Act.

3. "Essential services" waiver

Section 414(a)(2)(B) of the McKinney Act prohibits more than 15 percent of any grant amount received by a unit of general local government from being used for "essential services" in connection with emergency shelter for the homeless. A provision new to the 1987 program—section 414(b)—permits HUD to waive the 15 percent limit, if the unit of government "demonstrates that the other eligible activities under the program are already being carried out in the locality with other resources." The Department implemented the substance of this waiver authority for the 1987 ESG program in a Notice published in the **Federal Register** on October 19, 1987 (52 FR 38864). Section 576.21(b) of the proposed rule would implement this authority for the 1987 ESG program regulations.

In considering waiver requests, the Department proposes to use criteria based upon the guidance contained in the Conference Report on section 414(b) (*see* H. Rep. No. 174, 100th Cong., 1st Sess. 76 (1987)). Under this test, the unit of general local government must demonstrate to HUD that:

(1) Activities other than essential services are adequately provided by private or public resources, including an amount equal to 85 percent of each grant amount provided to the unit of government under this part for which waiver is requested; and

(2) The amount that is in excess of 15 percent of each grant amount provided to the unit of government under this part, and which the unit of government proposes to use for essential services, cannot practicably be expended for other activities.

The following example is illustrative. Assume that a unit of general local government has $100,000 in emergency shelter grant amounts and wishes to spend 20 percent of this amount ($20,000) on essential services. The unit of government is free under section 414(a)(2)(B) of the McKinney Act to

[3] The Plan was established by Subtitle A of Title IV of the McKinney Act.

[4] For ease of reference, these cities and counties are referred to as "ESG formula cities and counties."

spend 15 percent ($15,000) on essential services and thus, this amount is excluded from the waiver determination. To qualify for a waiver for the additional $5,000, the unit of government must demonstrate to HUD that:

(1) Other shelter grant activities are adequately provided from available resources, *including* 85 percent of the grant amount ($85,000); and

(2) The $5,000 cannot practicably be expended for activities other than essential services.

The Department believes that these criteria are responsible to the statutory conditions to waiver, and provide clear guidance to units of general local government seeking waiver relief.

Waiver requests from units of general local government receiving grant amounts from a State would first have to be forwarded to the State. The State would be required promptly to forward all such requests to HUD, together with any recommendations or other comments the State may have. This would give States an opportunity to give HUD the benefit of their views on their recipients' requests for waiver, while ensuring that State recipients' requests will receive full and prompt attention by the Department. HUD intends to rely heavily on the State comments and recommendation in determining whether to grant a waiver under section 414(b) of the McKinney Act.

4. Territories

Section 413(e) of the McKinney Act requires the Department to establish a separate grant allocation formula for the Territories. Territories (included in the definition of "States" by section 411(8)) include the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific. The proposed rule would use a two-step allocation process to make grant amounts available to the Territories.

First, the proposed rule would set aside for *all* Territories an amount equal to 0.2 percent of the total ESG funds available for any fiscal year. This amount is predicated upon an analysis of, and is consistent with, the Territories' historical share of the total amount available for the Community Development Block Grant Program under section 103 of the Housing and Community Development Act of 1974. The Department proposes to use the 0.2 percentage to calculate allocations to the Territories, until such time as a significant shift in the Territories' share under section 103 requires the Department to revise this figure (§ 576.41(e)). Second, a portion of this set-aside would be allocated to *each* Territory, based upon its proportionate share of the total population of all Territories (§ 576.45(a)).

HUD would notify each Territory of the amount of its allocation (§ 576.45(b)). Territories would generally be treated like ESG formula cities and counties for purposes of eligible activities (Subpart B), Comprehensive Homeless Assistance Plans (Subpart C), the award and use of grant amounts (Subpart E), program requirements (Subpart G), and grant administration (Subpart H). Reallocation of grant amounts to Territories is discussed below.

5. Funding Threshold

Section 576.43(b) of the proposed rule would implement section 413(b) of the McKinney Act. This provision changed the allocation threshold for metropolitan cities and urban counties from a flat $30,000 (as provided in the 1986 ESG program), to .05 percent of the amounts appropriated for the program for any fiscal year. The provision of section 413(b), carving out an exception from the allocation threshold for any city that has certain population and other characteristics, would not be codified explicitly in the rule, but would be taken into account in the ESG allocation process.

6. Reallocations

Subpart F of the proposed rule would implement section 413(d) of the McKinney Act. Section 413(d)(1) requires HUD to reallocate any ESG grant amounts that are "unused" or "returned" to HUD. This section is similar to section 522(d) of the 1986 ESG authority.

Sections 413(d) (2) and (3) are new with the McKinney Act. They delineate the rules for reallocating amounts initially provided to ESG formula cities and counties, Territories, and States, if the jurisdiction fails to obtain approval of its Comprehensive Homeless Assistance Plan within 90 days after grant amounts first become available for allocation during any fiscal year.

The following chart shows the reallocation scheme for implementing section 413(d) in Subpart F of the proposed rule. After the chart, the preamble will discuss Subpart F's provisions, and their relation to the McKinney Act and the 1986 final ESG rule.

	Reallocating event	*Reallocation grantee*	*Reallocated amounts not awarded*	*Reallocated amounts awarded, but returned*[1]	*Reallocated amounts awarded, but unused*[2]
§ 576.61	Formula city or county fails to obtain CHAPapproval.	State in which city or county located.	Reallocate to formula cities and counties and States and Territories under § 576.63.	Reallocate under 576.67(c).	Reallocate under § 576.67(d).
§ 576.63	State fails to obtain CHAP approval.	First, formula cities and counties in State; and if grant amounts remain, other States and Territories.	Reallocate under § 576.67(d).	Reallocate under § 576.67(C).	Reallocate under § 576.67(d).
§ 576.65	Territory fails to obtain CHAP approval.	Other Territories	Reallocate under § 576.67(d).	Reallocate under § 576.67(c).	Reallocate under § 576.67(d).
§ 576.67(c)(1)(i)	"Returned amounts—State.	First, units of general local government in the State; if grant amounts remain, then other States.	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).

	Reallocating event	Reallocation grantee	Reallocated amounts not awarded	Reallocated amounts awarded, but returned[1]	Reallocated amounts awarded, but unused[2]
§ 576.67(c)(1)(ii)	"Returned" amounts—formula cities and counties.	First, units of general local government to carry out homeless activities in city or county; if amounts remain, then the State in which the city or county located; if amounts remain, then units of general local government in the States and if amounts remain, other States.	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).
§ 576.67(c)(2)	Returned amounts—Territories.	First, other Territories; if grants remain, then States.	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d.)
§ 576.67(c)(4)	Returned amounts—reallocation grantees under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d)..	
§ 576.67(d)	"Unused" amounts	Units of general local government, States and private nonprofits.	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).

[1] As provided in § 576.67(f), emergency shelter grant amounts are considered "returned" when they become available for reallocation because a grantee does not excecute a grant agreement with HUD for them, *e.g.*, when a grantee for which an allocation is made under § 576.43 fails to meet the application deadlines under § 576.51(a), or has its application disapproved under § 576.53(b) or approved with a reduced grant amount in accordance with § 576.89.

[2] As provided in §§ 576.67(d), grant amounts are considered "unused" when they become available for reallocation by HUD after a grantee has executed a grant agreement with HUD for them: *e.g.*, where (i) a State fails to make its grant amounts available to State recipients within the time period specified in § 576.55(a)(1); (ii) a formula city or county fails to obligate grant amounts within the time specified in § 576.55(b); (iii) a State recaptures grant amounts from a State recipient and makes them available to HUD as provided in § 576.55(c)(2); (iv) grant amounts become available as a result of imposition of a sanction (other than a reduction of grant amounts) under § 576.89 or the close-out of a grant; or (v) a grantee referred to in paragraph (b) of this section fails to obligate grant amounts within the time period specified in its grant agreement.

(a) *Section 576.61.* This provision specifies that amounts originally made available for ESG formula cities and counties would be reallocated to the State in which the city or county is located. This tracks the statutory scheme of section 413(d)(2).

(b) *Section 576.63.* This provision provides that amounts originally made available to a State (including amounts that cannot be reallocated to a State under § 576.61) would be reallocated, first, to ESG formula cities and counties located in the State that demonstrate extraordinary need or large numbers of homeless individuals and, second, if grant amounts remain, to other States and Territories that meet these criteria.

Section 413(d)(2) calls for reallocations "to other States [including Territories] and the cities and counties" that meet the need or numbers of homeless criterion.[5] Consistent with the statute, the proposed rule would make. States and Territories eligible for reallocation amounts. The Department, however, proposes two refinements in the statutory scheme: The Department would give a *priority* in reallocating amounts under § 576.63 to ESG formula cities and counties in the State, and would not make reallocations under the section *directly* to any other cities or counties.

The Department believes that this approach is justified on two grounds. First, we believe that grant amounts should, to the maximum extent practicable, be retained in the jurisdiction that originally received the allocation. ESG formula cities and counties in the State are likely to have greater homeless populations than smaller communities, and would be in the best position to ensure that the State's original allocation is used to meet those needs. Second, the Department believes that, in general, grants to units of general local government that are not formula grantees should be administered by the States. Amounts that HUD provides to States are required by the ESG statute to be distributed to units of general local government (including cities and counties) within the State. Thus, while not providing reallocation amounts

[5] Section 413(d)(2) of the McKinney Act specifies that amounts that cannot be reallocated under that section are to be reallocated to "States, counties, and cities that demonstrate extraordinary need or large numbers of homeless individuals * * *." The clear intent of this language is that all reallocation grantees—States, counties, and cities—must meet the need/numbers of homeless criteria.

Section 413(d)(3), however, states that reallocations go "to other States and to cities and counties" that meet the need/numbers of homeless criteria. The literal interpretation of this language subjects *only* cities and counties, but not States, to these criteria.

The Department has reviewed the legislative history of section 413(d), and has found no indication of Congressional intent on this point. We believe, however, that Congress intended reallocations under sections 413(d) (2) and (3) to be made available to the same grantees and in the same circumstance. This follows, we believe, since both provisions deal with precisely the same situation—grant amounts that cannot be provided to a State—and we cannot find any evidence of Congressional intent to provide a different reallocation scheme.

Given the emphasis that the McKinney Act places on need—both in its allocation and reallocation provisions—the Department has determined that section 413(d)(3) should be read as requiring all of its reallocation grantees to be subject to the need/numbers of homeless criteria. Thus, *all* reallocation grantees under both section 413(d)(2) and section 413(d)(3), must demonstrate extraordinary need or large numbers of homeless individuals to receive reallocations under those sections.

directly to cities and counties, the Department believes that funding them through the State satisfies the statutory directive.

(c) *Section 576.65.* This section provides that amounts originally allocated to a Territory would be reallocated to other Territories that meet the need or numbers of homeless criteria described above. Since the McKinney Act includes Territories in the definition of "State," the reallocation provisions of section 413(d)(2) would apply: Reallocation amounts are to be made available (as noted in previous discussion) to other "States" and to cities and counties.

The Department proposes to reallocate Territory amounts only to other Territories. The Department believes that this approach is consistent with Congressional intent in establishing funding set-aside and special formula allocation provisions for these jurisdictions. Moreover, reallocations to other Territories under § 576.65 would satisfy the statutory requirement that amounts be reallocated to "other States." Any amounts that are not reallocated to the Territories would be available under § 576.67(d) for reallocation to units of general local government (including, as noted above, cities and counties), States, and private nonprofits. The Department believes that this gives adequate attention to the statutory requirement that reallocation grantees under 413(d)(3) include cities and counties.

(d) *Sections 576.61–576.65.* Each of these sections contains the following provisions:

—HUD would give notice to affected grantees of the availability of reallocation amounts.

—To be eligible for reallocation amounts, grantees must (1) execute a grant agreement with HUD to receive ESG amounts for the fiscal year for which the amounts to be reallocated were initially made available; and (2) if necessary, submit an amendment to their application for that fiscal year for the reallocation amounts they wish to receive. The amendment must (to the extent necessary) meet the application requirements for ESG formula grantees, and must be sent to HUD within 30 days after notification of fund availability is given.

—Provisions that govern the formula allocation of grants generally apply to reallocation. These include application review and approval (§ 576.53) and deadlines for using grant amounts (§ 576.55).

(e) *Further allocations.* Each of §§ 567.61–576.65 specifies the use to which amounts that are not reallocated under these sections would be put. Consistent with section 413(d)(2) of the McKinney Act, amounts that cannot be reallocated to the State under § 576.61 would be reallocated under § 576.63. Amounts that are not reallocated under § 576.63 to ESG formula cities and counties, and States and Territories, and amounts that are not reallocated to Territories under § 576.65, would be available for reallocation to units of general local government, States, and private nonprofit organizations under § 576.67(d). Amounts that are allocated under §§ 576.61–576.65, but that are "returned" or "unused," would be reallocated under § 576.67 (c) or (d), as appropriate.

(f) *Section 576.67(c).* This provision would make several changes over its counterpart in the 1986 ESG final rule. The 1986 rule specified that "returned" grant amounts that were initially allocated to a State are to be reallocated, first, to units of general local government in the State and, second, to nonprofits in the State; grant amounts initially allocated to formula cities and counties are to be reallocated, first, for use in the city or county, to units of general local government that are authorized to carry out homeless assistance activities in the city or county and, second, to private nonprofits.

This proposed rule would eliminate private nonprofit organizations from eligibility for reallocations of returned amounts. In their place, the following reallocations for returned amounts are proposed:

—*Section 576.67(c)(1)(i):* Returned State amounts would be reallocated, first, to units of general local government in the State; and if grant amounts remain, to other States.

—*Section 576.67(c)(1)(ii):* Returned ESG formula city or county amounts would be reallocated, first, to units of general local government to carry out homeless assistance activities in the city or county; if amounts remain, then to the State in which the city or county is located; if grant amounts remain, then to units of general local government in the State; and if grant amounts still remain, then to other States.

The Department proposes to substitute States for nonprofits to make § 576.67(c)'s residual grantees comparable to those specified in §§ 576.61 and 576.63. Under this change, States would be residual reallocation grantees in § 576.61, 576.63, 576.67(c)(1)(i), and 576.67(c)(1)(ii). The Department believes that this approach would help bring consistency and clarity to all of Subpart F's provisions for the reallocation of "returned" amounts. In addition, as noted above, the Department believes that States are generally the preferred conduit for distributing grant amounts to units of general local government.

The Department would retain, however, the use of units of general local government as primary reallocation grantees under §§ 576.67(c)(1)(i) and (ii), rather than formula cities and counties under § 576.63 and States under § 576.61. This reflects the fact that § 576.67(c), as well as § 576.67(d), are "backstop" reallocation provisions that the Department believes should have a broad base of governmental eligibility.

The Department proposes to reallocate grant amounts that remain under § 576.67(c)(1)(ii) after State reallocation, to units of general local government in the State and to other States. This is designed to provide a special reallocation system comparable to that discussed above for § 576.63. Reallocations under this provision will enable units of general local government that are cities to carry out homeless assistance activities within the relevant county, for counties to conduct such activities within a city, and for a city to carry out homeless assistance activities within another city. Such arrangements would presuppose the legal authority to conduct such activities within the relevant jurisdiction and may, in appropriate circumstances, require execution of a cooperation agreement to carry out the activities.

With respect to the elimination of private nonprofit organizations from direct funding with returned amounts under § 576.67(c), the Department would note that the proposed rule would retain nonprofits as eligible grantees under § 576.67(d) ("unused" amounts). In addition, nonprofits are eligible to receive grant distribution from ESG formula cities and counties and other units of general local government.

Section 576.67(c) would also be amended to provide that returned amounts from Territories would be reallocated, first, to other Territories and if amounts remain, to States. Use of other Territories as the primary grantees tracks § 576.65; use of States as residual grantees would be consistent with that role for States in §§ 576.61, 576.63, and 576.67(c)(1)(i) and (ii).

Proposed § 576.67(c)(3) would provide that amounts that (1) remain after reallocation under paragraph (c)(1) or (2) are reallocated under that paragraph, but returned, would be reallocated under § 576.67(d). Proposed § 576.67(c)(4) would provide that amounts initially made available to private nonprofits, units of general local

government, and States under § 576.67(d) would be reallocated under that provision. These provisions are designed to ensure that all returned reallocation amounts that remain or become available have clear direction for further reallocation.

(g) *Section 576.67(d).* This section, dealing with the reallocation of "unused" amounts, provided under the 1986 ESG program for reallocations to units of general local government and private nonprofit organizations. In this proposed rule, the category of recipients has been expanded to include States. Again, this change reflects the Department's belief that States should be an important part of any mechanism to distribute emergency shelter grant amounts.

7. Other Changes

(a) *State applications.* Section 575.33(a)(2) of the final rule for the 1986 ESG program provides a two-step process for States wishing to receive a formula allocation: A 45-day "election" period, within which the State is to notify HUD of its intention to participate in the program, and a 30-day period (after the 45-day "election") within which to submit an application. The proposed rule would end this two-step approach, and provide that States would be treated the same as other formula grantees: *i.e.*, applications must be submitted within 45 days after the jurisdiction is notified of its grant allocation. This is a minor change, reflecting the Department's commitment to allocating amounts appropriated for the program as rapidly as possible, as well as the Department's believe that States have had two year's funding experience under the program, and no longer need a special time period within which to decide whether to participate in the program.

(b) *Letter to proceed.* Section 575.35(f) of the final rule for the 1986 ESG program permits HUD, upon the request of an ESG formula city or county at any time after the city or county submits its application, to allow the jurisdiction to incur costs for emergency shelter grants activities for later reimbursement when the grant is approved. Section 576.53(f) would extend this provision to State programs, by permitting States to perform HUD's function with respect to State recipients. The Department believes that this change is desirable in order to accord States greater flexibility in the operation of their programs. The proposed rule would also state explicitly the caveat now provided in the grant documents concerning letters to proceed: the jurisdiction's decision to incur costs is entirely at its own risk, and reimbursement from grant funds depends entirely upon whether, and the extent to which, the jurisdiction receives grant amounts.

(c) *Lead-based paint.*—(i) *Scope.* Section 576.79(d) of the rule would establish procedures to eliminate as far as practicable, the immediate hazards of lead-based paint with respect to any building constructed before 1950, for which emergency shelter grant amounts are used and which is intended (or reasonably expected) to provide emergency shelter to children under the age of seven. In addition, specific paragraphs of § 576.79(b) apply to other buildings assisted with emergency shelter grant amounts.

(ii) *Practicability analysis.* Emergency shelter grants are made to ESG formula cities and counties States, and Territories, on the basis of the formula used to determine grant sizes in the Community Development Block Grant (CDBG) Program. States must distribute all their grant allocations to units of general local government in the State; units of general local government may distribute all or part of their grant amounts to private non-profit organizations for use of eligible activities. There are also provisions of reallocation by HUD of specified funds, directly to units of general government, States, Territories, and private non-profit organizations. Activities eligible under the program are:

(1) The renovation, major rehabilitation, or conversion of buildings for use as emergency shelters for the homeless;

(2) The provision of essential social services; and

(3) The payment of certain operational costs such as maintenance insurance, utilities, and furnishings.

Under the grant allocation provisions of the McKinney Act, the appropriation in the Supplemental Appropriations Act, 1987 has resulted in allocations to 322 formula cities and counties, the 50 States, the Commonwealth of Puerto Rico, and five Territories. Since States must pass their funds through to local governments, and all local governments, whether receiving their funds directly from HUD or through the State, may distribute all or part of their grant amounts to non-profit entities providing services to the homeless, it is highly likely that several thousand shelters may be assisted with the $50 million currently appropriated. The availability of three categories of eligible activities would dilute the grant amounts likely to involve painted surfaces.

In developing the lead-based paint provisions for this proposed rule, HUD has sought to take into account the limited funds available for physical improvement projects in shelters; the clear intent of the ESG legislation to increase the quality and quantity of shelters; the likely age of buildings that would be made available for use as shelters; the nature of an emergency shelter as a temporary residence; the safety of those using these facilities, especially children; and the reasonably available techniques for eliminating the hazards of lead-based paint poisoning. Based upon our practicability analysis, this rule would (1) limit the required treatment of defective paint surfaces to interior surfaces of an emergency shelter. (Other HUD program regulations, including 24 CFR Part 35, extend coverage to exterior surfaces up to five feet from the floor. However, given the temporary nature of emergency shelters, it is proposed that the immediate hazards of lead-based paint in emergency shelters be limited to interior surface only); (2) limit the required treatment to defective paint surfaces in only those rooms being renovated, rehabilitated, or converted with emergency shelter grant amounts; and (3) not require treatment of chewable surfaces, unless found defective under the circumstances described above.

HUD has also considered various construction cut-off dates during this rulemaking, including 1950 (the date specified in section 302 of the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35, Subpart C), 1973 (the date lead-based paint was prohibited in federally assisted construction or rehabilitation) and 1978 (the date residental lead-based paint ceased to be manufactured). A construction cut-off date of 1950 for inspection and abatement requirements is proposed in this rule because most emergency shelters are located in older buildings constructed prior to 1950. The Department invites public comment on alternative construction cut-off dates.

The Department also notes that in those instances where emergency shelter grant amounts are used in conjunction with Community Development Block Grant funds to rehabilitate a project, the more stringent lead-based paint standard (in this case, the CDBG requirements published on February 17, 1987, 52 FR 4878) would apply. HUD invites specific public comment on the practical impact of differing lead-based paint standards between the emergency shelter grants program and the CDBG program, and the likelihood of its causing grantees to shift away from projects involving

rehabilitation and to focus instead on the other eligible categories of activities under these programs.

Nondiscrimination

Two of the nondiscrimination requirements with which use of emergency shelter grants must comply as provided in § 576.79(a) are Title VIII of the Civil Rights Act of 1968 and Executive Order 11063, which prohibit discrimination in housing on the basis of race, color, religion, sex, or national origin. It may well be that some emergency shelters assisted under this program would not actually be covered under these authorities. The prohibitions against discrimination in Title VIII relate only to a "dwelling", which is defined in section 802(b) of that Act to mean, in part, "any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, or designed or intended for occupancy as, a residence by one or more families * * *" (the word "family" includes a single individual). Judicial interpretations (*e.g., United States* v. *Hughes Memorial Home*, 396 F.Supp. 544 (W.D. Va. 1975)) regarding whether a temporary residence is a "dwelling" within the meaning of Title VIII appear to turn on whether the occupants of a place intend to remain for a substantial period of time or whether the place is rather one of temporary sojourn or transient visit. A similar issue arises under Executive Order 11063, which covers certain "housing and related facilities". Since the operation and usage of emergency shelters may vary greatly across the nation, it seems prudent to deem these authorities generally applicable to shelters assisted under this program.

In any event, under § 576.79(a) all such shelters are subject to the Federal statutory prohibitions against discrimination with respect to race, color, national origin, age, sex and handicap in programs involving Federal financial assistance. Consistent with the statutory intent of Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, the Department has included in this final rule a requirement at § 576.79(a)(6) that the ESG grantee (or in the case of a State, the State recipient) make known that emergency shelter facilities and services are available to all on a nondiscriminatory basis. Where the procedures that a grantee (or State recipient) intends to use are unlikely to reach persons of any particular race, color, religion, age, sex or national origin who may qualify for the ESG services, the grantee (or recipient) is required to establish additional procedures to ensure that these persons are made aware of the availability of the facilities and services. Grantees (or the State recipient) must also adopt and implement procedures to make available to interested persons information concerning the existence and location of services and facilities which are accessible to handicapped persons.

Environmental Considerations and Site Selection

A fundamental objective of the Emergency Shelter Grants Program is to enable emergency shelter activities to move ahead as quickly as possible. To avoid the delays associated with complying with various environmental authorities, the selection of emergency shelter activities should avoid or minimize adverse impacts on the human environment and environmental resources, and give preference to sites that essentially are free from environmental hazards and adverse conditions. The regulations, therefore, encourage grantees and their recipients to select sites and program activities that will not affect environmental resources and that will not require, or entail the delay of, compliance with environmental authorities listed in § 50.4 of HUD's environmental regulations (24 CFR Part 50; or comparably in § 58.5 of 24 CFR Part 58).

In furtherance of these objectives, § 576.51(b)(3)(i) requires the application to contain an assurance that no assisted renovation, major rehabilitation, or conversion activities will affect specific types of resources, including historic property and floodplains. This assurance also requires that certain activities not be inconsistent with any applicable State's Coastal Zone Management Plan.

However, lest program benefits be denied where no practicable alternatives to sites that would affect particular environmental resources can reasonably be found, § 576.51(b)(3)(ii) provides two exceptions to the policy of assuring impact-avoidance. First, HUD will not require submission of the assurance if HUD finds, based on information from the applicant, that an environmental review previously completed under another HUD program (under 24 CFR Part 50 or 58) applies to the activities for which emergency shelter grant amounts are to be used. If this condition is not present, HUD will also consider an applicant's request for a conditional grant, where the only feasible locations for program activities will result in an effect on cited environmental resources that has not been subject to the required review and thus will require further review under the relevant environmental authorities. A grant conditioned on environmental grounds will be considered only if HUD finds that a meaningful program in fiscal year 1988 can be carried out after the compliance process is completed.

HUD emphasizes that the nature of eligible activities generally will not have significant environmental impact within the meaning of the National Environmental Policy Act of 1969 (NEPA). In addition, the Department is in the process of obtaining the concurrence of the Council of Environmental Quality in HUD's determination that the activities under the Fiscal Year 1987 ESG program are exempt from the requirements of NEPA. However, HUD emphasizes that renovation, major rehabilitation, or conversion activities funded under this part could have potential environmental effects which, unless avoided in particular activities, may require compliance with environmental laws and authorities other than NEPA. Where these authorities apply to a particular activity, compliance with them is HUD's responsibility and must be satisfied before grant amounts may be committed to these activities and before the funded activities may be commenced. Even here, however, by early and careful attention to environmental considerations and by the selection of problem-free sites, applicants can expedite the approval process.

Other Matters

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the General Counsel, Rules Docket Clerk, at the above address.

This rule would not constitute a "major rule" as that term is defined in section 1(b) of the Executive Order on Federal Regulations issued by the President on February 17, 1981. Analysis of the rule indicates that it would not: (1) Have an annual effect on the economy of $100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-

based enterprises in domestic or export markets.

In accordance with the provisions of 5 U.S.C. 605(b), the Undersigned hereby certifies that this rule would not have a significant economic impact on a substantial number of small entities, because most statutorily eligible grantees and State recipients are relatively larger cities, urban counties, or States. In addition, the grant amounts to be made available to any ultimate user of a grant are relatively small.

The information collection requirements contained in this rule have been submitted to the Office of Management and Budget for review under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3502). No person may be subject to a penalty for failure to comply with these information collection requirements until they have been approved and assigned an OMB control number. The OMB control number, when assigned, will be announced by separate notice in the **Federal Register.**

This rule is listed in the Department's Semiannual Agenda of Regulations published on October 26, 1987 (52 FR 40358) under Executive Order 12291 and the Regulatory Flexibility Act.

A Catalog of Federal Domestic Assistance program number for the Emergency Shelter Grants Program is CFDA No. 14.231.

List of Subjects in 24 CFR Parts 575 and 576

Grant programs—Housing and community development, Emergency shelter grants, Reporting and recordkeeping requirements.

Accordingly, the Department proposes to amend 24 CFR Part 575 and to add a new 24 CFR Part 576, to read as follows:

PART 575—EMERGENCY SHELTER GRANTS PROGRAM: HOMELESS HOUSING ACT OF 1986

1. The Part heading of 24 CFR Part 575 would be revised to read as set forth above.

2. The authority citation for 24 CFR Part 575 would be revised to read as follows:

Authority: Sec. 525(a) of the Homeless Housing Act of 1986 (sec. 101(g), Pub. L. 99–500 (approved October 18, 1986) and Pub. L. 99–591 (approved October 30, 1986), making appropriations as provided for in H.R. 5313, 99th Cong., 2d Sess. (1986) (as passed by the House of Representatives and by the Senate), to the extent and in the manner provided for in H. Rep. No. 977, 99th Cong., 2d Sess. (1986)); sec. 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

3. In § 575.1 paragraph (a) would be revised to read as follows:

§ 575.1 Applicability and purpose.

(a) *General.* This part implements the Emergency Shelter Grants program contained in the Homeless Housing Act of 1986 (section 101(g), Pub. L. 99–500 (approved October 18, 1986) and Pub. L. 99–591 (approved October 30, 1986), making appropriations as provided for in Part C of Title V of H.R. 5313, 99th Cong., 2d Sess. (1986) (as passed by the House of Representatives and by the Senate), to extent and in the manner provided for in H. Rep. No. 977, 99th Cong., 2d Sess. (1986)). The program authorizes the Secretary of Housing and Urban Development to make grants to States, units of general local government, and private nonprofit organizations, for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, and for the payment of certain operating and social service expenses in connection with emergency shelter for the homeless. The Emergency Shelter Grants program authorized by Subtitle B of Title IV of the Stewart B. McKinney Homeless Assistance Act is contained in 24 CFR Part 576.

* * * * *

4. A new 24 CFR Part 576 would be added to read as follows:

PART 576—EMERGENCY SHELTER GRANTS PROGRAM: STEWART B. McKINNEY HOMELESS ASSISTANCE ACT

Subpart A—General

Sec.
576.1 Applicability and purpose.
576.3 Definitions.
576.5 Waivers.

Subpart B—Eligible Activities

576.21 Eligible and ineligible activities.
576.23 Who may carry out eligible activities.

Subpart C—Comprehensive Homeless Assistance Plan

576.31 Comprehensive Homeless Assistance Plan.

Subpart D—Allocations

576.41 Overall allocation of grant amounts.
576.43 Allocation of grant amounts to States, metropolitan cities, and urban counties.
576.45 Allocation of grant amounts to Territories.

Subpart E—Award and Use of Grant Amounts

576.51 Application requirements.
576.53 Review and approval of applications.
576.55 Deadlines for using grant amounts.

Subpart F—Reallocations

Sec.
576.61 Reallocation of grant amounts; lack of approved Comprehensive Homeless Assistance Plan; formula cities and counties.
576.63 Reallocation of grant amounts; lack of approved Comprehensive Homeless Assistance Plan; States.
576.65 Reallocation of grant amounts; lack of approved Comprehensive Homeless Assistance Plan; Territories.
576.67 Reallocation of grant amounts; returned or unused amounts.

Subpart G—Program Requirements

576.71 Matching funds.
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576.77 Assistance to the homeless.
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Subpart H—Grant Administration

576.81 Responsibility for grant administration.
576.83 Method of payment.
576.85 Performance reports.
576.87 Recordkeeping.
576.89 Sanctions.

Appendix to Part 576

Authority: Sec. 416 of the Stewart B. McKinney Homeless Assistance Act (Pub. L. 100–77, approved July 22, 1987); sec. 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Subpart A—General

§ 576.1 Applicability and purpose.

(a) *General.* This part implements the Emergency Shelter Grants program contained in Subtitle B of Title IV of the Stewart B. McKinney Homeless Assistance Act (Pub. L. 100–77, approved July 22, 1987). The program authorizes the Secretary of Housing and Urban Development to make grants to States and units of general local government (and to provide nonprofit organizations providing assistance to homeless individuals in the case of grants made with reallocated amounts) for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, and for the payment of certain operating and social service expenses in connection with emergency shelter for the homeless. The Emergency Shelter Grants program authorized by the Homeless Housing Act of 1986 is contained in 24 CFR Part 575.

(b) *Purpose.* The program is designed to help improve the quality of existing emergency shelters for the homeless, to help make available additional emergency shelters, and to help meet the costs of operating emergency shelters and of providing certain essential social services to homeless individuals, so that these persons have access not only to safe and sanitary shelter, but also to the

supportive services and other kinds of assistance they need to improve their situations.

§ 576.3 Definitions.

Comprehensive Homeless Assistance Plan or *Comprehensive Plan* means the Comprehensive Homeless Assistance Plan established by Subtitle A of Title IV of the Stewart B. McKinney Homeless Assistance Act (Pub. L. 100–77, approved July 22, 1987).

Conversion means a change in the use of a building to an emergency shelter for the homeless under this part, where the cost of conversion and any rehabilitation costs exceed 75 percent of the value of the building before conversion.

Emergency shelter means any facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless.

Emergency shelter grant amounts or *grant amounts* mean grant amounts made available under this part.

Formula city or county means a metropolitan city or urban county that is eligible to receive an allocation of grant amounts under § 576.43.

Grantee means the entity that executes a grant agreement with HUD under this part. For purposes of this part, grantee is (a) any State, metropolitan city, or urban county that receives a grant allocation under § 576.43; (b) any Territory that receives a grant allocation under § 576.45; and (c) any State, Territory, unit of general local government, or private nonprofit organization that receives a grant based on a reallocation under Subpart F.

Homeless means:

(a) An individual or family which lacks a fixed, regular, and adequate nighttime residence; or

(b) An individual or family which has a primary nighttime residence that is:

(1) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);

(2) An institution that provides a temporary residence for individuals intended to be institutionalized; or

(3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. The term does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.

HUD means the Department of Housing and Urban Development.

Major rehabilitation means rehabilitation that involves costs in excess of 75 percent of the value of the building before rehabilitation.

Metropolitan city means a city that was classified as a metropolitan city under section 102(a)(4) of the Housing and Community Development Act of 1974 for the fiscal year immediately preceding the fiscal year for which emergency shelter grant amounts are made available.

Nonprofit recipient means any private nonprofit organization providing assistance to the homeless, to which a unit of general local government distributes emergency shelter grant amounts.

Obligated means that the grantee or State recipient, as appropriate, has placed orders, awarded contracts, received services, or entered similar transactions that require payment from the grant amount. Grant amounts that are awarded by a written agreement by a unit of general local government to a private nonprofit organization providing assistance to the homeless are obligated.

Private nonprofit organization means a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986 which (a) is exempt from taxation under Subtitle A of the Code; (b) has an accounting system and a voluntary board; and (c) practices nondiscrimination in the provision of assistance.

Rehabilitation means labor, materials, tools, and other costs of improving buildings, including repair directed toward an accumulation of deferred maintenance; replacement of principal fixtures and components of existing buildings; installation of security devices; and improvement through alterations or incidental additions to, or enhancement of, existing buildings, including improvements to increase the efficient use of energy in buildings.

Renovation means rehabilitation that involves costs of 75 percent or less of the value of the building before rehabilitation.

State means each of the several States and the Commonwealth of Puerto Rico.

Territory means each of the following: The Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.

State recipient means any unit of general local government to which a State makes available emergency shelter grant amounts.

Unit of general local government means any city, county, town, township, parish, village, or other general purpose political subdivision of a State.

Urban county means a county that was classified as an urban county under section 102(a)(6) of the Housing and Community Development Act of 1974 for the fiscal year immediately preceding the fiscal year for which emergency shelter grant amounts are made available.

Value of the building means the monetary value assigned to a building by an independent real estate appraiser, or as otherwise reasonably established by the grantee or the State recipient.

§ 576.5 Waivers.

The Secretary of HUD may waive any requirement of this part that is not required by law, whenever it is determined that undue hardship will result from applying the requirement, or where application of the requirement would adversely affect the purposes of the Emergency Shelter Grants Program under this part.

Subpart B—Eligible Activities

§ 576.21 Eligible and ineligible activities.

(a) *Eligible activities.* Emergency shelter grant amounts may be used for one or more of the following activities relating to emergency shelter for the homeless.

(1) Renovation, major rehabilitation, or conversion of buildings for use as emergency shelters for the homeless.

(2) Provision of essential services, including (but not limited to) services concerned with employment, physical health, mental health, substance abuse, education, or food. Grant amounts provided to a unit of general local government may be used to provide an essential service only if—

(i) The service is (A) a new service or (B) a quantifiable increase in the level of a service above that which the unit of general local government provided during the 12 calendar months immediately before it received the grant amounts; and

(ii) Not more than 15 percent of any grant provided to a unit of general local government, including grant amounts that the unit of general local government distributes to any nonprofit recipient, is used for these services.

(3) Payment of maintenance, operation (including rent, but excluding staff), insurance, utilities, and furnishings.

(b) *Waiver of limit on essential services.* (1) HUD may waive the 15 percent limitation on the use of grant amounts for essential services in paragraph (a)(2)(ii) of this section, if the

unit of general local government demonstrates to HUD that:

(i) Activities other than essential services are adequately provided from other private or public resources (including an amount equal to 85 percent of each grant amount provided to the unit of government uner this part for which waiver is requested); and

(ii) The amount that is in excess of 15 percent of each grant amount provided to the unit of government under this part, and which the unit of government proposes to use for essential services, cannot practicably be used for eligible activities other than essential services.

(2) Waiver requests from State recipients under this paragraph (b) must first be sent to the State. The State must promptly send the requests to HUD, together with any comments or recommendations the State may have on them.

(c) *Ineligible activities.* (1) Emergency shelter grant amounts may not be used for activities other than those authorized under paragraphs (a) and (b) of this section. For example, grant amounts may not be used for:

(i) Acquisition or construction of an emergency shelter for the homeless;

(ii) The costs of staff involved in overseeing the operation of the shelter; or

(iii) Rehabilitation services performed by the staff of a grantee or recipient, such as preparation of work specifications, loan processing, or inspections.

(2) Grant amounts may not be used to renovate, rehabilitate, or convert buildings owned by primarily religious organizations or entities, unless the following conditions are met:

(i) The building (or portion thereof) that is to be improved with the grant amounts has been leased to an existing or newly established, wholly secular entity (which may be an entity established by the religious organization);

(ii) The HUD assistance is provided to the lessee (and not the lessor) to make the improvements;

(iii) The leased premises will be used exclusively for secular purposes, and will be available to all persons regardless of religion;

(iv) The lease payments do not exceed the fair market rent for the premises, as they were before the improvements are made;

(v) The portion of the cost of any improvements that also serve a non-leased part of the building will be allocated to, and paid for by, the lessor; and

(vi) The lessor enters into a binding agreement that, unless the lessee, or a qualified successor lessee, retains the use of the leased premises for a wholly secular purpose for at least the useful life of the improvements, the lessor will pay to the lessee an amount equal to the residual value of the improvements.

(vii) The lessee must remit the amount referred to in paragraph (c)(2)(vi) of this section to the original grantee from which the amounts used to renovate, rehabilitate, or convert the building under this paragraph (c)(2) were derived: *e.g.*, if the amounts used under this paragraph initially were made available to a State or to a unit of general local government as a formula allocation (§ 576.43) or a reallocation (Subpart F), the amount that the lessor provides to the lessee must be remitted to the State or unit of general local government, as appropriate. The original grantee may use this amount to further the objectives of this part. If, however, a private nonprofit organization is the lessee as well as the grantee, the organization must remit the amount referred to in paragraph (c)(2)(vi) of this section to HUD.

(viii) The lessee may also enter into a management contract authorizing the lessor religious organization to operate the facility, including the provision of essential services, in carrying out the secular purpose. In such case, the religious organization must agree in the management contract to carry out its contractual responsibilities in a manner free from religious influences pursuant to conditions prescribed by HUD.

§ 576.23 Who may carry out eligible activities.

(a) *Grantees and State recipients.* All grantees (except States) and State recipients may carry out activities with emergency shelter grant amounts. All of a State's formula allocation must be made available to units of general local government in the State, which may include formula cities or counties, whether or not such cities or counties receive grant amounts directly from HUD.

(b) *Nonprofit recipients.* Units of general local government—both grantees and State recipients—may distribute all or part of their grant amounts to nonprofit recipients to be used for emergency shelter grant activities.

Subpart C—Comprehensive Homeless Assistance Plan

§ 576.31 Comprehensive Homeless Assistance Plan.

(a) *Prohibition of assistance.* (1) Grant amounts may be made available to the following jurisdictions, only if they have a HUD-approved Comprehensive Plan:

(i) States, for allocations under § 576.43 and reallocations under §§ 576.61, 576.63, and 576.67.

(ii) Formula cities and counties, for allocations § 576.43 and reallocations under §§ 576.63 and 576.67; and

(iii) Territories, for allocations under § 576.45 and reallocations under §§ 576.65 and 576.67.

(2) Reallocation amounts may be made available under § 576.67 to units of general local government that are not formula cities and counties, and to private nonprofit organizations, only if the jurisdiction in which the proposed activities are to be located has an approved Comprehensive Plan. For units of general local government, the State must have an approved Plan. For nonprofit organizations, if the proposed activities are to be located in a formula city or county, the city or county must have an approved Plan; if the proposed activities are to be located outside such a city or county, the State must have an approved Plan.

(3) Grant amounts may not be made available to, or within the jurisdiction of, any State or formula city or county that does not annually (i) review its progress in carrying out its Comprehensive Plan and (ii) report the results of the review to HUD.

(b) *Notification of Plan requirements.* HUD will publish the requirements that pertain to the Comprehensive Plan (including the progress review and report specified in paragraph (a)(3) of this section and Plan amendments referred to in § 576.53(c)) in the **Federal Register**, as necessary. Prospective grantees should familiarize themselves with these requirements. HUD will also provide notice of the Plan's requirements when HUD notifies prospective grantees of their grant allocations under subpart D or the availability of reallocation amounts under subpart F.

(c) *Reallocations.* Sections 576.61, 576.63, and 576.65 govern the reallocation of grant amounts initially allocated to a State or a formula city or county under § 576.43, or to a Territory under § 576.45, if the jurisdiction does not obtain approval of its Plan within the time periods specified in those sections.

Subpart D—Allocations

§ 576.41 Overall allocation of grant amounts.

(a) *Territories.* HUD will set aside for allocation to the Territories under § 576.45 an amount equal to 0.2 percent of the total amount available for

emergency shelter grants for any fiscal year.

(b) *States, metropolitan cities, and urban counties.* HUD will allocate the amounts that remain after the set-aside to Territories under paragraph (a) of this section to States, metropolitan cities, and urban counties under § 576.43.

§ 576.43 Allocation of grant amounts to States, metropolitan cities, and urban counties.

(a) *Calculation of allocations.* In determining the amount of the allocation for each State, metropolitan city, and urban county, HUD will provide that the percentage of the total amount available for allocation to any State, metropolitan city, or urban county is equal to the percentage of the total amount available for section 106 of the Housing and Community Development Act of 1974 for the prior fiscal year that was allocated to such State, metropolitan city, or urban county.

(b) *Reallocation to State.* Except as otherwise provided by law, if an allocation to a metropolitan city or urban county would be less than .05 percent of the amounts appropriated for this part for any fiscal year, the amount is added to the allocation for the State in which the city or county is located.

(c) *Notification of allocation amount.* HUD will notify in writing each State, metropolitan city, and urban county that is eligible to receive an allocation under this section, of the amount of its allocation.

§ 576.45 Allocation of grant amounts to Territories.

(a) *Each Territory.* HUD will allocate amounts set aside for Territories under § 576.41 to each Territory, based upon its proportionate share of the total population of all Territories.

(b) *Notification of allocation amount.* HUD will notify each Territory of the amount of its allocation under this section.

Subpart E—Award and Use of Grant Amounts

§ 576.51 Application requirements.

(a) *Application deadlines.* To receive grant amounts, a State or formula city or county that elects to receive an emergency shelter grant on the basis of an allocation under § 576.43, and a Territory that elects to receive an emergency shelter grant on the basis of an allocation under § 576.45, must submit an application that meets the requirements of paragraph (b) of this section. The application must be submitted to the responsible HUD field office, no later than 45 days after the date of the notification to the State, city or county, or the Territory, of its grant allocation, as provided by § 576.43(c) or § 576.45(b), respectively.

(b) *Application.* The application must contain:

(1) A Standard Form 424. Item (7) of Standard Form 424 must contain a description of the proposed use of the emergency shelter grant amounts. In the case of a formula city or county, or a Territory, the proposed use must be identified for each of the three categories of eligible activities under §§ 576.21 (a)(1), (a)(2), and (a)(3). In the case of a State, the proposed use must identify (i) how the State intends to implement the requirement in § 576.23(a) that all grant amounts be made available to units of general local government in the State, or (ii) the specific units of general local government in the State that will receive these amounts.

(2) The following certifications and assurances:

(i) A certification by the public official responsible for submitting the Comprehensive Plan for the State, formula city or county, or Territory in which the proposed use of funds described in Standard Form 424 is to be located, that the proposed use is consistent with the Plan.

(ii) A certification that the State, formula city or county, or Territory will provide the matching supplemental funds required by § 576.71. The certification must describe the sources and amounts of the supplemental funds. A State's matching supplemental funds certification is to be submitted with its interim performance report, as provided by § 576.85.

(iii) A certification that the formula city or county, or Territory, will comply, and that the State will ensure that its State recipients comply, with:

(A) The requirements of § 576.73 concerning the continued use of buildings, for which emergency shelter grant amounts are used, as emergency shelter for the homeless;

(B) The building standards requirements of § 576.75; and

(C) The requirements of § 576.77 concerning assistance to the homeless.

(iv) If grant amounts are proposed to be used to provide emergency shelter for the homeless in hotels or motels, or other commerical facilities providing transient housing, a certification from the State, metropolitan city, or urban county that:

(A) The grantee, or State recipient or nonprofit recipient (as appropriate), has executed (or will execute) an agreement with the provider of such housing that comparable living space (in terms of quality), available amenities, and square footage) will be available in the facility for use as emergency shelter for at least the applicable period specified in § 576.73;

(B) Leases negotiated between the grantee, or State recipient or nonprofit recipient (as appropriate), and providers of such housing provide (or will provide) that the living space will be made available at substantially less than the daily rate otherwise charged by the facility; and

(C) The grantee, or State recipient or nonprofit recipient, (as appropriate), has considered using other facilities as emergency shelter, and has determined that use of the facilities referred to in this paragraph (b)(2)(iv) provides the most cost-effective means of providing emergency shelter for the homeless in its jurisdiction.

(v) A certification that the formula city or county, or Territory, will conduct its emergency shelter grant activities under this part, and that the State or unit of general local government (as appropriate) will ensure that State recipients or nonprofit recipients conduct their activities under this part, in conformity with the nondiscrimination and equal opportunity requirements contained in § 576.79(a) and the other requirements of this part and of other applicable Federal law.

(3)(i) An assurance by the State, formula city of county, or Territory that no renovation, major rehabilitation, or conversion activity funded under this part will:

(A) Involve alterations to a property that is listed on the National Register of Historic Places, is located in an historic district or is immediately adjacent to a property that is listed on the Register, or is deemed by the State Historic Preservation Officer to be eligible for listing on the Register;

(B) Take place in any 100-year floodplain designated by map by the Federal Emergency Management Agency; or

(C) Be inconsistent with the State's Coastal Zone Management plan.

(ii) In lieu of the assurance required by paragraph (b)(3)(i) of this section, renovation, major rehabilitation, or conversion of a building may be carried out with emergency shelter grant amounts if:

(A)(*1*) The State, formula city or county, or Territory informs HUD that an environmental review in the area in which the proposed activities are to be located (*i*) was previously completed for the purposes of another HUD program under 24 CFR Part 50 or 58, and (*ii*) addressed properties, activities, and

effects comparable to those proposed for assistance under this part; and (2) HUD finds that the prior review applies to the proposed activities; or

(B) The State, formula city or county, or Territory (1) determines that the only feasible locations for the assisted activities preclude one or more of the assurances in paragraph (b)(3)(i) of this section, and that paragraph (b)(3)(ii)(A) of this section does not apply, and (2) requests a conditional grant in accordance with § 576.53(c)(2).

(4) A certification by the State, formula city or county, or Territory that the submission of the application required by this paragraph (b) is authorized under applicable provisions of law, and that the grantee possesses the legal authority to carry out emergency shelter grant activities in accordance with the provisions of this part.

(c) *Substantial change in proposed use of funds.* (1) If at any time after submission of an application under this section, the applicant or grantee (as applicable) proposes a substantial change in its proposed use of funds, the applicant or grantee must submit to the responsible HUD field office a certification (as required by paragraph (b)(2)(i) of this section) that the revised proposed use of funds in consistent with the applicable Comprehensive Homeless Assistance Plan. The grantee may not obilgate, or permit a State recipient or nonprofit recipient to obligate, grant amounts for the revised proposed use of funds until HUD accepts the new certification.

(2) Submission of the certification under this paragraph (c) may require amendment of the applicable Comprehensive Homeless Assistance Plan. Requirements for Plan amendments may be found in the notification that HUD provides for Plans. (See § 576.31(b)).

§ 576.53 Review and approval of applications.

(a) *Time for approval.* An application from a State, formula city or county, or Territory will be processed and approved as expeditiously as possible, and will be deemed approved 30 days after HUD receives it, unless within that period HUD notifies the applicant that the application is not approved.

(b) *Review of applications.* HUD will approve an application, unless it determines that the application:

(1) Was not received or postmarked within the time period specified in § 576.51(a);

(2) Does not contain the items required by § 576.51(b); or

(3) Does not otherwise comply with the requirements of this part or of other Federal law.

(c) *Conditional grant.* HUD may make a conditional grant restricting the obligation and use of emergency shelter grant amounts. Conditional grants may be made;

(1) Where there is substantial evidence that there has been, or there will be, a failure to meet the requirements of this part. In such a case, the reason for the conditional grant, the action necessary to remove the condition, and the deadline for taking those actions will be specified. Failure to satisfy the condition may result in imposition of a sanction under § 576.89 or in any action authorized under any other applicable Federal law.

(2) Where the State, formula city or county, or Territory requests a conditional grant because the only feasible program sites for renovation, major rehabilitation, or conversion activities assisted under this part preclude one or more of the assurances in § 576.51(b)(3)(i), and § 576.51(b)(3)(ii)(A) does not apply. In such a case, HUD must comply with applicable environmental authorities before grant amounts may be committed and assisted activities may be commenced.

(d) *Grant agreement.* The grant will be made by means of a grant agreement executed by HUD and the grantee.

(e) *Reallocation amounts.* Any emergency shelter grant amounts that are returned to HUD because of (1) a failure to meet the application deadline under § 576.51(a) or (2) an application disapproval under paragraph (b) of this section will be reallocated under § 576.67(c).

(f) *Letter to proceed.* (1) Upon request of a formula city or county, or Territory, at any time after submission of an application, HUD may authorize the city, county, or Territory to incur costs at its own risk for reimbursement at such time as the grant may be approved.

(2) At any time after submission of its application, the State may, upon request of a State recipient, authorized the recipient to incur costs at its own risk for reimbursement at such time as the recipient may receive its distribution from the State.

§ 576.55 Deadlines for using grant amounts.

(a) *States and State recipients.* (1) Each State must make available to its State recipients all emergency shelter grant amounts that it was allocated under § 576.43, within 65 days of the date of the grant award by HUD.

(2) Each State recipient must have all its grant amounts obligated within 180 days of the date on which the State made the grant amounts available to it. Funds to be expended by the State recipient itself (not through a third party) for the provision of assistance to the homeless will be considered to have met this timing requirement, if the recipient:

(i) Budgets the funds for a stated eligible activity;

(ii) Makes initial expenditures for the eligible activity within 180 days of the date on which the State made the grant amounts available to the recipient; and

(iii) Expends all funds for the budgeted activity within one year of the date on which the State made the grant amounts available to the recipient.

(b) *Formula cities and counties, and Territories.* Each formula city and county, and each Territory, must have all grant amounts that it was allocated under § 576.43 of § 576.45 obligated by 180 days of the date of the grant award by HUD. Funds to be expended by the formula city or county, or Territory, itself (not through a third party) for the provision of assistance to the homeless will be considered to have met this timing requirement, if the jurisdiction: (1) budgets the funds for a stated eligible activity; (2) makes initial expenditures within 180 days of the date of the grant award by HUD; and (3) expends all funds for the budgeted activity within one year of the date of the grant award by HUD.

(c) *Reallocation amounts.* (1) Any emergency shelter grant amounts that are not made available or obligated within the time periods specified in paragraph (a)(1) (State distributions to State recipients) or (b) (formula city or county or Territory allocation) of this section, respectively, will be reallocated under § 576.67(d).

(2) The State must recapture any grant amounts that a State recipient does not obligate within the time period specified in paragraph (a)(2) (State recipients) of this section. The State, at its option, must make these grant amounts and other amounts returned to the State (except amounts referred to in § 576.21(c)(vi)) available as soon as practicable to other units of general local government for use within the time period specified in paragraph (a)(2) of this section, or to HUD for reallocation under § 576.67(d).

Subpart F—Reallocations

§ 576.61 Reallocation of grant amounts; lack of approved Comprehensive Homeless Assistance Plan; formula city and counties.

(a) *Applicability.* This section applies where a formula city or county fails to obtain approval of its Comprehensive Plan within 90 days of the date upon which amounts under this part first become available for allocation under § 576.43 in any fiscal year.

(b) *Grantee.* HUD will make available the amounts that a city or county referred to in paragraph (a) of this section would have received to the State in which the city or county is located.

(c) *Notification of fund availability.* The responsible HUD field office will promptly notify the State of the availability of any reallocation amounts under this section.

(d) *Eligibility for reallocation amounts.* In order to receive reallocation amounts under this section, the State must:

(1) Execute a grant agreement with HUD to receive grant amounts allocated to the State under § 576.43 for the fiscal year for which the amounts to be allocated were initially made available.

(2) If necessary, submit an amendment to its application for that fiscal year for the reallocation amounts it wishes to receive. The amendment must (to the extent necessary) meet the requirements of § 576.51(b), and must be submitted to the responsible HUD office no later than 30 days after notification is given to the State under paragraph (c) of this section.

(e) *Review and approval.* (1) Section § 576.53 (except paragraph (e)) governs the review and approval of application amendments under this section.

(2) HUD will endeavor to make grant awards within 30 days of the application amendment deadline, or as soon thereafter as practicable.

(f) *Deadlines for using reallocated grant amounts.* Section 576.55 governs the use of amounts reallocated under this section.

(g) *Amounts that cannot be reallocated.* Any grant amounts that cannot be reallocated to a State under this section will be reallocated to formula cities and counties located in the State and to other States and Territories, as provided by § 576.63. Amounts that are reallocated under this section, but that are returned or unused, will be reallocated under § 576.67.

§ 576.63 Reallocation of grant amounts; lack of approved Comprehensive Homeless Assistance Plan; States.

(a) *Applicability.* This section applies where:

(1) A State fails to obtain approval of its Comprehensive Plan within 90 days of the date upon which amounts under this part first become available for allocation in any fiscal year; or

(2) Grant amounts cannot be reallocated to a State under § 576.61.

(b) *Grantees.* HUD will reallocate the amounts that a State referred to in paragraph (a) of this section would have received, first, to formula cities and counties located in the State that demonstrate extraordinary need or large numbers of homeless individuals and if grant amounts remain, then to other States and Territories that meet this criterion.

(c) *Notification of fund availability.* HUD will make reallocations under this section by direct notification or Federal Register Notice that will set forth the terms and conditions under which grant amounts under this section are to be reallocated and grant awards made.

(d) *Eligibility for reallocation amounts.* In order to receive reallocation amounts under this section, the formula city or county, or State or Territory, must:

(1) Execute a grant agreement with HUD to receive grant amounts allocated under § 576.43 or § 576.45 (as appropriate) for the fiscal year for which the amounts to be reallocated were initially made available.

(2) Submit an amendment to its application for that fiscal year for the reallocation amounts it wishes to receive. The amendment must meet—

(i) To the extent necessary, the requirements of § 576.51(b) and

(ii) Such additional requirements as HUD may specify in the notification under paragraph (c) of this section. The amendment must be submitted to the responsible HUD field office no later than 30 days after such notification is given.

(e) *Review and approval.* (1) Section 576.53 (except paragraph (e)), and such additional requirements as HUD may specify in the notification under paragraph (c) of this section, govern the review and approval of application amendments under this section. HUD will rank the amendments and make grant awards under this section on the basis of the following factors:

(i) The nature and extent of the unmet homeless need within the jurisdiction in which the grant amounts will be used;

(ii) The extent to which the proposed activities address this need; and

(iii) The ability of the grantee to carry out the proposed activities promptly.

(2) HUD will endeavor to make grant awards within 30 days of the application amendment deadline, or as soon thereafter as practicable.

(f) *Grant amounts.* HUD may make a grant award for less than the amount applied for or for fewer than all of the activities identified in the application amendment, based on competing demand for grant amounts and the extent to which the respective activities address the needs of the homeless.

(g) *Deadlines for using reallocated grant amounts.* Section 576.55 governs the use of amounts reallocated under this section.

(h) *Amounts that are not reallocated.* Any grant amounts that are not reallocated under this section, or that are reallocated, but are unused, will be reallocated under § 576.67(d). Any amounts that are reallocated, but are returned, will be reallocated under § 576.67(c).

§ 576.65 Reallocation of grant amounts; lack of approved Comprehensive Homeless Assistance Plan; Territories.

(a) *Applicability.* This section applies where a Territory fails to obtain approval of its Comprehensive Plan within 90 days of the date upon which amounts under this part first become available for allocation in any fiscal year.

(b) *Grantees.* HUD will make available the amounts that a Territory referred to in paragraph (a) of this section would have received to other Territories that demonstrate extraordinary need or large numbers of homeless individuals.

(c) *Notification of fund availability.* The responsible HUD field office will promptly notify each Territory of the availability of any reallocation amounts under this section, and will indicate the terms and conditions under which such amounts are to be made available and grant awards made.

(d) *Eligibility for reallocation amounts.* In order to receive allocation amounts under this section, the Territory must:

(1) Execute a grant agreement with HUD to receive grant amounts allocated under § 576.45 for the fiscal year for which the amounts to be reallocated were initially made available.

(2) If necessary, submit an amendment to its application for that fiscal year for the reallocation amounts it wishes to receive. The amendment must meet (i) to the extent necessary, the requirements of § 576.51(b) and (ii) such additional requirements as HUD may specify in the notification under paragraph (c) of this section. The amendment must be submitted to the responsible HUD field

office no later than 30 days after such notification is given.

(e) *Review and approval.* (1) Section 576.53 (except paragraph (e)) governs the review and approval of application amendments under this section. HUD will rank the amendments and make grant awards under this section on the basis of the following factors:

(i) The nature and extent of the unmet homeless need within the jurisdiction in which the grant amounts will be used;

(ii) The extent to which the proposed activities address this need; and

(iii) The ability of the grantee to carry out the proposed activities promptly.

(2) HUD will endeavor to make grant awards within 30 days of the application amendment deadline or as soon thereafter as practicable.

(f) *Grant amounts.* HUD may make a grant award for less than the amount applied for or for fewer than all of the activities identified in the application amendment, based on competing demand for grant amounts and the extent to which the respective activities address the needs of the homeless.

(g) *Deadlines for using reallocated grant amounts.* Section 576.55 governs the use of amounts reallocated under this section.

(h) *Amounts that are not reallocated.* Any grant amounts that are not reallocated under this section, or that are reallocated, but are unused, will be reallocated under § 576.67(d). Amounts that are allocated, but are returned, will be reallocated under § 576.67(c).

§ 576.67 Reallocation of grant amounts; returned or unused amounts.

(a) *General.* From time to time, HUD will reallocate emergency shelter grant amounts that are returned or unused, as those terms are defined in paragraph (f) of this section. HUD will make reallocations under this section by direct notification or **Federal Register** Notice that will set forth the terms and conditions under which the grant amounts are to be reallocated and grant awards are to be made.

(b) *FEMA boards.* HUD may use State and local boards established under the Emergency Food and Shelter Program administered by the Federal Emergency Management Agency, as a resource to identify potential applicants for reallocated grant amounts.

(c) *Reallocation—returned grant amounts.* (1) States and formula cities and counties. HUD will endeavor to reallocate returned emergency shelter grant amounts that were initially allocated under § 576.43 to a State or a formula city or county, for use within the same jurisdiction. Reallocation of these grant amounts is subject to the following requirements:

(i) Returned grant amounts that were allocated to a State will be made available (A) first, to units of general local government within the State and (B) if grant amounts remain, then to other States.

(ii) Returned grant amounts that were allocated to a formula city or county will be made available (A) first, for use in the city or county, to units of general local government that are authorized under applicable law to carry out activities serving the homeless in the jurisdiction; (B) if grant amounts remain, then to the State in which the city or county is located; (C) if grant amounts remain, to units of general local government in the State; and (D) if grant amounts remain, to other States.

(2) Territories. Returned grant amounts that were allocated to a Territory will be made available (i) first, to other Territories and (ii) if grant amounts remain, then to States.

(3) Further reallocation: States, formula cities and counties, and Territories. Any grant amounts that (i) remain after applying the preceding provisions of this paragraph (c), or (ii) are returned to HUD after realloction under such provisions, will be further reallocated under paragraph (d) of this section.

(4) Other grantees. Returned grant amounts that were initially made available to private nonprofit organizations, units of general local government and States under paragraph (d) of this section will be made uvailable under that paragraph.

(5) The responsible HUD field office will announce the availability of returned grant amounts. The announcement will establish deadlines for submitting applications, and will set out other terms and conditions relating to grant awards, consistent with this part. The announcement will specify the application documents to be submitted, which include (i) a Standard Form 424; (ii) certifications required at § 576.51(b)(2)(iv); and (iii) other certifications and assurance similar to those required from a formula city or county, or a Territory, under §§ 576.51(b)(2), (3) and (4), as appropriate.

(6) The responsible HUD field office may establish maximum grant amounts, considering the grant amounts available, and will rank the applications using the criteria in paragraph (e) of this section.

(7) HUD may make a grant award for less than the amount applied for or for fewer than all of the activities identified in the application, based on competing demands for grant amounts and the extent to which the respective activities address the needs of the homeless.

(8) HUD will endeavor to make grant awards within 30 days of the application deadline or as soon thereafter as practicable.

(d) *Reallocation—unused grant amounts.* Unused grant amounts will be available, in HUD's discretion, for reallocation from time to time to:

(1) Units of general local government and States demonstrating extraordinary need or large numbers of homeless individuals; and

(2) Private nonprofit organizations providing assistance to the homeless.

(e) *Selection criteria.* HUD will award grants under paragraphs (c) and (d) of this section based on consideration of the following criteria:

(1) The nature and extent of the unmet homeless need within the jurisdiction in which the grant amounts will be used;

(2) The extend to which the proposed activities address this need; and

(3) The ability of the grantee to carry out the proposed activities promptly.

(f) *When grant amounts are returned or unused.* (1) For purposes of this section, emergency shelter grant amounts are considered "returned" when they become available for reallocation because a grantee does not execute a grant agreement with HUD for them, *e.g.*, when a grantee for which an allocation is made under § 576.43 or § 576.45 fails to meet the application deadlines under § 576.51(a), or has its application disapproved under § 576.53(b), or approved with a reduced grant amount in accordance with § 576.89.

(2) For purposes of this section, emergency shelter grant amounts are considered "unused" when they become available for reallocation by HUD after a grantee has executed a grant agreement with HUD for them: *e.g.*, where—

(i) A State fails to make its grant amounts available to State recipients within the time period specified in § 576.55(a)(1);

(ii) A formula city or county fails to obligate grant amounts within the time specified in § 576.55(b);

(iii) A State recaptures grant amounts from a State recipient and makes them available to HUD as provided in § 576.55(c)(2);

(iv) Grant amounts become available as a result of imposition of a sanction (other than a reduction of grant amounts) under § 576.89 or the close-out of a grant; or

(v) A grantee referred to in paragraph (b) of this section fails to obligate grant

amounts within the time period specified in its grant agreement.

Amounts that remain after reallocation under § 576.63, § 576.65, or § 576.67(c) are considered unused for purposes of this section.

Subpart G—Program Requirements

§ 576.71 Matching funds.

(a) *General.* Each grantee must supplement its emergency shelter grant amounts with an equal amount of funds from sources other than under this part. These funds must be provided after the date of the grant award to the grantee. Funds used to match a previous emergency shelter grant award may not be used to match a subsequent grant award under this part. A grantee may comply with this requirement by providing the supplemental funds itself, or through supplemental funds or voluntary efforts provided by any State recipient or nonprofit recipient (as appropriate).

(b) *Calculating the matching amount.* In calculating the amount of supplemental funds, there may be included the value of any donated material or building; the value of any lease on a building; any salary paid to staff of the grantee or to any State recipient or nonprofit recipient (as appropriate) in carrying out the emergency shelter program; and the time and services contributed by volunteers to carry out the emergency shelter program, determined at the rate of $5 per hour. For purposes of this paragraph (b), the grantee will determine the value of any donated material or building, or any lease, using any method reasonably calculated to establish a fair market value.

§ 576.73 Use as an emergency shelter.

(a) *General.* Any building for which emergency shelter grant amounts are used for one or more of the eligible activities described in §§ 576.21(a) (1) and (3) must be maintained as a shelter for the homeless for not less than a three-year period, or for not less than a 10-year period, if the grant amounts are used for major rehabilitation or conversion of the building. Using emergency shelter grant amounts for eligible activities described in § 576.21(a)(2) does not trigger either the three- and 10-year period.

(b) *Calculating the applicable period.* The three- and 10-year periods referred to in paragraph (a) of this section begin to run:

(1) In the case of a building that was not operated as an emergency shelter for the homeless before receipt of grant amounts under this part, on the date of initial occupancy as an emergency shelter for the homeless.

(2) In the case of a building that was operated as an emergency shelter before receipt of grant amounts under this part, on the date that grant amounts are first obligated for the shelter.

§ 576.75 Building standards.

Any building for which emergency shelter grant amounts are used for renovation, conversion, or major rehabilitation must meet local government safety and sanitation standards.

§ 576.77 Assistance to the homeless.

Homeless individuals and families must be given assistance in obtaining:

(a) Appropriate supportive services, including permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; and

(b) Other Federal, State, local, and private assistance available for such individuals.

§ 576.76 Other Federal requirements.

Use of emergency shelter grant amounts must comply with the following additional requirements:

(a) *Nondiscrimination and Equal Opportunity.* (1) The requirements of Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601–19 and implementing regulations; Executive Order 11063 and implementing regulations at 24 CFR Part 107; and Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d–2000d–4) and implementing regulations issued at 24 CFR Part 1;

(2) The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101–07) and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);

(3) The requirements of Executive Order 11246 and the regulations issued under the Order at 41 CFR Chapter 60;

(4) The requirements of section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (see § 570.607(b) of this Chapter);

(5) The requirements of Executive Orders 11625, 12432, and 12138. Consistent with HUD's responsibilities under these Orders, the grantee must make efforts to encourage the use of minority and women's business enterprises in connection with activities funded under this part; and

(6) The requirement that the grantee (or in the case of States, the State recipient) make known that use of the facilities and services is available to all on a nondiscriminatory basis. Where the procedures that a grantee or recipient intends to use to make known the availability of such facilities and services are unlikely to reach persons of any particular race, color, religion, sex, age or national origin who may qualify for them, the recipient or garntee must establish additional procedures that will ensure that these persons are made aware of the facilities and services. Grantees and recipients must also adopt and implement procedures to make available to interested persons information concerning the existence and location of services and facilities that are accessible to handicapped persons.

(b) *Applicability of OMB Circulars.* The policies, guidelines, and requirements of OMB Circular Nos. A–87 and A–102, as they relate to the acceptance and use of emergency shelter grant amounts by States and units of general local government, and Nos. A–110 and A–122 as they relate to the acceptance and use of emergency shelter grant amounts by private nonprofit organizations.[1]

(c) *Uniform Federal Accessibility Standards.* For major rehabilitation or conversion, the Uniform Federal Accessibility Standards at 24 CFR Part 40, Appendix A.

(d) *Lead-based paint.* (1) Purpose. The purpose of this paragraph (d) is to implement the requirements of section 302 of the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4822, with respect to the Emergency Shelter Grants program under this part. HUD has promulgated requirements for the elimination of lead-based paint hazards in HUD-associated housing at 24 CFR Part 35, Subpart C. This paragraph (d) is promulgated under the authority of 24 CFR 35.24(b)(4) and supersedes, with respect to all housing to which it applies, the requirements prescribed by Subpart C of 24 CFR Part 35.

(2) Applicability. This paragraph (d) applies to any buildings for which emergency shelter grant amounts are used, that were constructed before 1950 and are intended, or reasonably can be expected, to provide emergency shelter to children under the age of seven. In addition, paragraph (d)(4) of this section applies to any other shelter constructed before 1978 for which emergency shelter grant amounts are used, whether or not such shelter is intended, or could

[1] The referenced OMB Circulars are available at the Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410.

reasonably be expected, to provide emergency shelter to children under the age of seven; and paragraph (d)(5) of this section applies to all buildings assisted with emergency shelter grant amounts.

(3) Inspection and abatement requirement. The grantee (or in the case of a State, the State recipient) shall inspect each room in an emergency shelter that is being renovated, rehabilitated or converted with emergency shelter grant funds. Treatment must be provided for defective paint surfaces in all such rooms, i.e., all painted surfaces that are cracking, scaling, chipping, peeling, or loose. Treatment must be performed before final inspection and approval of the work. At a minimum, treatment of the defective paint surfaces must consist of covering or removal of the painted surface. Covering may be accomplished by such means as adding a layer of gypsum wallboard or a fiberglass cloth barrier to the wall surface. Depending on the wall condition, wallpaper (which is permanently attached and not easily strippable) may be used. Covering or replacing trim surfaces is also permitted. Paint removal may be accomplished by such methods as scraping, heat treatment (infra-red or coil type heat guns) or chemicals. Machine sanding and use of propane torches are not permitted. Washing and repainting without thorough removal or covering does not constitute adequate treatment. The grantee (or in the case of States, the State recipient) must take appropriate action to protect the shelter occupants from hazards associated with abatement procedures.

(4) Notification of hazards of lead-based paint poisoning. The grantee must post a notice in a prominent area in any pre-1978 emergency shelter assisted with emergency shelter grant amounts which states:

(i) That the property may contain lead-based paint;

(ii) The hazards of lead-based paint;

(iii) The symptoms and treatment of lead-based paint poisoning;

(iv) The precautions to be taken to avoid lead-based paint poisoning (including maintenance and removal techniques for eliminating such hazards);

(v) The advisability and availability of blood lead level screening for children under seven years of age; and

(vi) That in the event lead-based paint is found on the property, appropriate abatement procedures can be undertaken.

(5) Prohibition against the use of lead-based paint. Section 401(b) of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4831(b)) prohibits applying lead-based paint to any building assisted with emergency shelter grant amounts.

(6) Compliance with other program requirements. Federal, State, and local laws. To the extent that assistance under this part is used in conjunction with other HUD program assistance which has lead-based paint requirements, the more stringent requirements prevail. Nothing in this paragraph (d) is intended to relieve any grantee subject to this paragraph of any responsibility for compliance with other Federal, State, or local laws, ordinances, codes or regulations governing lead-based paint.

(e) *Conflicts of interest.* In addition to conflicts of interest requirements in OMB Circulars A–102 and A–110, no person (1) who is an employee, agent, consultant, officer, or elected or appointed official of the grantee, State recipient, or nonprofit recipient (or of any designated public agency) that receives emergency shelter grant amounts and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or (2) who is in a position to participate in a decisionmaking process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for him or herself or for those with whom he or she has family business ties, during his or her tenure, or for one year thereafter. (3) HUD may grant an exception to this exclusion as provided in §§ 570.611 (d) and (e) of this chapter.

(f) *Use of debarred, suspended, or ineligible contractors.* The provisions of 24 CFR Part 24 relating to the employment, engagement of services, awarding of contracts, or funding of any contractors or subcontractors during any period of debarment, suspension, or placement in ineligibility status.

(g) *Flood insurance.* No site proposed on which renovation, major rehabilitation, or conversion of a building is to be assisted under this part, other than by grant amounts allocated to States under § 576.43, may be located in an area that has been identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, unless (1) the community in which the area is situated is participating in the National Flood Insurance Program and the regulations thereunder (44 CFR Parts 59 through 79) or (2) less than a year has passed since FEMA notification regarding such hazards, and the grantee will ensure that flood insurance on the structure is obtained in compliance with section 102(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C 4001 *et seq.*).

(h) *Coastal Barriers.* In accordance with the Coastal Barrier Resources Act, 16 U.S.C. 3501, no financial assistance under this part may be made available within the Coastal Barrier Resources System.

(i) *Audit.* The financial management system used by a State or unit of general local government that is a grantee or State recipient must provide for audits in accordance with 24 CFR Part 44. A private nonprofit organization is subject to the audit requirements of OMB Circular A–110.

(j) *Intergovernmental review.* The requirements of Executive Order 12372 and the regulations issued under the order at 25 CFR Part 52, to the extent provided by Federal Register notice in accordance with 24 CFR 52.3.

(k) *Conformance with HUD environmental standards.* The grantee or recipient must conform to environmental criteria and standards established at 24 CFR Part 51 relating to noise abatement and control and physical siting of HUD-assisted projects.

Subpart H—Grant Administration

§ 576.81 Responsibility for grant administration.

Grantees are responsible for ensuring that emergency shelter grant amounts are administered in accordance with the requirements of this part and other applicable laws. In the case of States making grant amounts available to State recipients, and in the case of units of general local government distributing grant amounts to nonprofit recipients, the States and the units of local government are responsible for ensuring that their respective recipients carry out the recipients' emergency shelter grant programs in compliance with all applicable requirements.

§ 576.83 Method of payment.

Payments are made to a grantee upon its request, and may include a working capital advance for 30 days' cash needs or an advance of $5,000, whichever is greater. Thereafter, the grantee will be reimbursed for the amount of its actual cash disbursement needs. If a grantee requests a working capital advance, it must base the request on a realistic, firm estimate of the amounts required to be disbursed over the 30-day period in payment of eligible activity costs. Payments with respect to grants of $120,000, or more, will be made by letter

of credit, if the grantee meets the requirements of OMB Circular A–102.

§ 576.85 Performance reports.

(a) *Interim performance report*—(1) *Timing of report.* (i) A formula city or county, or Territory, must submit its interim performance report to HUD no later than 30 days after the end of the 180-day period allowed for the obligation of grant amounts under § 576.55(b), or 30 days after the date when all grant amounts are obligated, whichever comes first.

(ii) A State must submit its interim performance report not later than 90 days from the date of the State's distribution of funds to its State recipients; except that where the responsible field office grants a State an extension of the 65-day deadline for obligating its grant funds under § 576.55(a)(1) a corresponding extension for filing of the interim report will automatically be granted.

(iii) A grantee referred to the § 576.67, Reallocation of funds, must submit its interim performance report to HUD within the period specified in its grant agreement.

(2) *Report content.* (i) In the case of a grantee other than a State, the interim performance report must contain information on the amount of funds obligated for each of the three categories of eligible activities described in §§ 576.21(a) (1), (2), and (3).

(ii) A State interim performance report must provide this information for each State recipient.

(3) *Matching funds certification.* A State must submit with its interim performance report the matching funds certification required by § 576.51(b)(2)(ii).

(b) *Annual performance report.* (1) *Report content.* A grantee other than a State must provide HUD with an annual performance report on the obligation and expenditure of funds for each of the three categories of eligible activities described in §§ 576.21(a) (1), (2), and (3). A State must provide this informtion for each State recipient.

(2) *Timing of report.* The initial annual performance report is required for the period ending December 31 following the submission of the interim report, and is due not later than 30 says after December 31. A grantee must continue to submit this report annually until all emergency shelter grant amounts are reported as expended.

§ 576.87 Recordkeeping.

Each grantee and State recipient must maintain records necessary to document compliance with the povisions of this part.

§ 576.89 Sanctions.

(a) *HUD sanctions.* If HUD determines that a grantee is not complying with the requirements of this Part or of other applicable Federal law, HUD may (in addition to any remedies that may otherwise be available) take any of the following sanctions, as appropriate:

(1) Issue a warning letter that further failure to comply with such requirements will result in a more serious sanction;

(2) Condition a future grant;

(3) Direct the grantee to stop the incurring of costs with grant amounts;

(4) Require that some or all of the grant amounts be remitted to HUD;

(5) Reduce the level of funds the grantee would otherwise be entitled to receive; or

(6) Elect not to provide future grant funds to the grantee until appropriate actions are taken to ensure compliance.

(b) *State sanctions.* If a State determines that a State recipient is not complying with the requirements of this Part or other applicable Federal laws, the State must take appropriate actions, which may include the actions described in paragraph (a) of this section. Any grant amounts that become available to a State as a result of a sanction under this section must, at the option of the State, be made available (as soon as practicable) to other units of general local government located in the State for use within the time period specified in § 576.55(a)(2), or to HUD for reallocation under § 576.67(d).

(c) *Reallocations.* Any grant amounts that become available to HUD as a result of the imposition of a sanction under this section will be reallocated under § 576.67(d).

Date: October 30, 1987.

Jack R. Stokvis,

General Deputy Assistant Secretry for Community Planning and Development.

APPENDIX TO PART 576

	Reallocating event	Reallocation grantee	Reallocated amounts not awarded	Reallocated amounts awarded, but returned [1]	Reallocated amounts awarded but unused [2]
§ 576.61	Formula city or county fails to obtain CHAP approval.	State in which city or county located.	Reallocate to formula cities and counties and States and Territories under § 576.63.	Reallocate under § 576.67(c).	Reallocate under § 576.67(d).
§ 576.63	State fails to obtain CHAP approval.	First, formula cities and counties in State; and if grant amounts remain, other States and Territories.	Reallocate under § 576.67(d).	Reallocate under § 576.67(c).	Reallocate under § 576.67(d).
§ 576.65	Territory fails to obtain CHAP approval.	Other Territories	Reallocate under § 576.67(d).	Reallocate under § 576.67(c).	Reallocate under § 576.67(d).
§ 576.67(c)(1)(i)	"Returned" amounts—State.	First, units of general local government in the State; if grant amounts remain, then other States.	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d)

APPENDIX TO PART 576—Continued

	Reallocating event	Reallocation grantee	Reallocated amounts not awarded	Reallocated amounts awarded, but returned [1]	Reallocated amounts awarded but unused [2]
§ 576.67(c)(1)(ii)	"Returned" amounts—formula cities and counties.	First, units of general local government to carry out homeless activities in city or county; if amounts remain, then the State is which the city or county located; if amounts remain, then units of general local government in the State and if amounts remain, other States.	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).
§ 576.67(c)(2)	Returned amounts—Territories.	First, other Territories; if grants remain, then States.	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).
§ 576.67(c)(4)	Returned amounts—reallocation grantees under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).	Reallocate under § 576.67(d).
§ 576.67(d)	"Unused" amounts	Units of general local government, States and private nonprofits.	Reallocate under § 576.67(d).	Reallocate under § 576.66(d).	Reallocate under § 576.67(d).

[1] As provided in § 576.67(f), emergency shelter grant amounts are considered "returned" when they become available for reallocation because a grantee does not execute a grant agreement with HUD for them, *e.g.*, when a grantee for which an allocation is made under § 576.43 fails to meet the application deadlines under § 576.51(a), or has its application disapproved under § 576.53(b) or approved with a reduced grant amount in accordance with § 576.89.

[2] As provided in §§ 576.67(d), grant amounts are considered "unused" when they become available for reallocation by HUD after a grantee has executed a grant agreement with HUD for them: *e.g.*, where (i) a State fails to make its grant amounts available to State recipients within the time period specified in § 576.55(a)(1); (ii) a formula city or county fails to obligate grant amounts within the time specified in § 576.55(b); (iii) a State recaptures grant amounts from a State recipient and makes them available to HUD as provided in § 576.55(c)(2); (iv) grant amounts become available as a result of imposition of a sanction (other than a reduction of grant amounts) under § 576.89 or the close-out of a grant; or (v) a grantee referred to in paragraph (b) of this section fails to obligate grant amounts within the time period specified in its agreement.

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1 and 602

[LR-168-86 and LR-37-87]

Capitalization and Inclusion in Inventory of Certain Costs; Practical Capacity; Public Hearing on Proposed Regulations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of Public hearing on proposed regulations.

SUMMARY: This document provides notice of a public hearing on proposed regulations relating to accounting for costs incurred in producing property and acquiring property for resale. Changes to the applicable tax law were made by the Tax Reform Act of 1986.

DATES: The public hearing will be held on Monday, December 7, 1987, beginning at 10:00 a.m. Outlines of oral comments must be delivered on or mailed by Friday, November 27, 1987.

ADDRESS: The public hearing will be held in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The requests to speak and outlines of oral comments should be submitted to the Commissioner of Internal Revenue, Attn: CC:LR:T (LR-168-86 and LR-37-87) Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Marcia K. Evans of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC 20224, telephone 202-566-3935 (not a toll-free call).

SUPPLEMENTARY INFORMATION: The subject of the public hearing is proposed regulations under section 803 of the Tax Reform Act of 1986 (Pub. L. 99-514), 100 Stat. 2085.

On March 30, 1987, proposed and temporary regulations (T.D. 8131) interpreting section 263A of the Internal Revenue Code of 1986 were published in the **Federal Register** (52 FR 10118, 10052).

On August 7, 1987, additional proposed and temporary regulations (T.D. 8148) interpreting section 263A were published in the **Federal Register** (52 FR 29391, 29375).

The rules of § 601.601(a)(3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to the public hearing. Persons who have

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submitted comments within the time prescribed in the notices of proposed rulemaking and who also desire to present oral comments at the hearing on the proposed regulations should submit, not later than Friday, November 27, 1987, an outline of the oral comments to be presented at the hearing and the time they wish to devote to each subject.

Each speaker will be limited to 10 minutes for an oral presentation exclusive of the time consumed by questions from the panel for the government and answers to these questions.

Because of controlled access restrictions, attendees cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of the agenda will be available free of charge at the hearing.

By direction of the Commissioner of Internal Revenue:

Donald E. Osteen,

Director, Legislation and Regulations Division.

[FR Doc. 87-25949 Filed 11-5-87; 11:04 am]

BILLING CODE 4830-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CCGD5-87-037]

Anchorage Ground; Baltimore Harbor, MD

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is considering a proposal to amend the boundaries of Anchorages 2, 3, and 6 in Baltimore Harbor. These changes are requested by the Maryland Port Administration to assist navigation into Dundalk Marine Terminal and Seagirt Marine Terminal.

DATE: Comments must be received on or before December 21, 1987.

ADDRESSES: Comments should be mailed to Commander(oan), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, VA 23704-5004. The comments and other materials referenced in this notice will be available for inspection and copying at 431 Crawford Street, Portsmouth, VA, Room 508. Normal office hours are between 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays. Comments may also be hand delivered to this address.

FOR FURTHER INFORMATION CONTACT: Mr. John Walters (804) 398-6230.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written views, data or arguments. Persons submitting comments should include their names and addresses, identify this notice and the specific section of the proposal to which their comments apply, and give reasons for each comment. The regulations may be changed in light of comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentation will aid the rulemaking process.

Drafting Information

The drafters of this notice are Mr. John R. Walters, Project Officer and CDR Robert J. Reining, Project Attorney, Fifth Coast Guard District.

Discussion of Proposed Regulations

The Maryland Port Administration applied for and received Department of the Army authority to dredge access channels and maneuvering space at Dundalk and Seagirt Marine Terminals. U. S. Army Corps of Engineers Public Notice NABOP RW 87-0005-5 announced dredging plans which impacted upon Anchorages 2 and 3. The access channel to Seagirt Marine Terminal would subtract 100 feet from the eastern edge of Anchorage 3. Maryland Port Administration recommended that the western boundary of Anchorage 3 be moved 100 feet into Anchorage 2 as a compensatory offset. This regulation would also alter the western edge of Anchorage 2, moving the edge 225 feet to the east. The access channel to Dundalk Marine Terminal has reduced the size of Anchorage 6 due to the channel alignment, which crosses the western corner. The Maryland Port Administration has consulted with docking pilots and the Association of Maryland Pilots in the channel design. Both Organizations state that the change to the anchorage will not have an operational nor economic impact.

Economic Assessment and Certification

These proposed regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact of this proposal is expected to be so minimal that a full regulatory evaluation is unnecessary. The Association of Maryland Pilots has indicated that the proposed change in boundaries will not affect the capacity of the anchorages. Since the impact of this proposal is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 110 of Title 33, Code of Federal Regulations as follows:

PART 110—[AMENDED]

1. The authority citation for Part 110 continues to read as follows:

Authority: 33 U.S.C. 417, 2030, 2035 and 2071; 49 CFR 1.46 and 33 CFR 1.05.1(g).

2. In § 110.158, paragraphs (a) (2), (3), and (6) are revised to read as follows:

§ 110.158 Baltimore Harbor, MD.

(a) * * *

(2) *Anchorage No. 2, general anchorage.* In the Patapsco River, 2,000 yards southeast of Lazaretto Point beginning at latitude 39 15'01.43" N., longitude 76 33'43.39" W.; thence southeast to latitude 39 14'49.09" N., longitude 76 33'30.37" W.; thence northeast to latitude 39 14'58.49" N., longitude 76 33'15.63" W.; thence southeast to latitude 39 14'40.5" N., longitude 76 32'57" W.; thence northeast to latitude 39 14'50" N., longitude 76 32'41.5" W.; thence northwest to latitude 39 15'17.2" N., longitude 76 33'10.0" W.; thence northwest to latitude 39 15'18.95" N., longitude 76 33'15.46" W.; thence west to latitude 39 15'18.90" N., longitude 76 33'25.63" W.; thence southwest to latitude 39 15'08.17" N., longitude 76 33'38.79" W., thence southwest to point of beginning. This is a general anchorage for ships with drafts of less than 24 feet. No vessel may remain in this anchorage for more than 72 hours without a written permit from the Captain of the Port.

(3) *Anchorage No. 3, general anchorage.* In the Patapsco River 3,000 yards southeast of Lazaretto Point beginning at latitude 39 14'49.09" N, longitude 76 33'30.37" W; thence southeast to latitude 39 14'14.70" N, 76

32'54.10" W; thence northeast to latitude 39 14'24.10" N, longitude 76 32'39.36" W; thence northwest to latitude 39 14'58.49" N, longitude 76 33'15.63" W; thence southwest to point of beginning. This is a general anchorage for deep draft vessels only (drafts greater than 24 feet). No vessel may remain in this anchorage for more than 72 hours without a written permit from the Captain of the Port.

* * * * *

(6) *Anchorage No. 6, general anchorage.* In the Patapsco River approximately 2,000 yards west of Sollers Point beginning at latitude 39 13'42.58" N, longitude 76 32'20.24" W thence southeast to latitude 39 13'20" N., longitude 76 31'56" W., thence northeast to 1atitude 39 13'34" N., longitude 76 31'33.5" W., thence northwest to latitude 39 14'02" N., longitude 76 32'02.9" W., thence southwest to latitude 39 13'50.5" N., longitude 76 32'20" W., thence south to point of beginning. No vessel with a draft of more than 20 feet may use this general anchorage. No vessel may remain in this anchorage for more than 72 hours without a written permit from the Captain of the Port.

* * * * *

Dated: October 28, 1987.

A.D. Breed,

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 87-25714 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 165

[CGD7 87-38]

Security Zone; Port Canaveral Harbor, Cape Canaveral, FL

AGENCY: Coast Guard, DOT.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: The Coast Guard is considering the establishment of Security Zones in the East (TRIDENT) Basin at Cape Canaveral Air Force Base, and the Middle Basin adjacent to the Navy wharf at Cape Canaveral Air Force Base, Port Canaveral Harbor, Florida, to protect naval facilities and vessels moored thereto from destruction, loss or injury from sabotage or other subversive acts, accidents or similar causes. The U.S. Navy has reason to believe that sufficient threat exists to justify establishment of these security zones.

DATES: Comments must be received on or before December 31, 1987.

ADDRESSES: Comments should be mailed to USCG Marine Safety Office, 2831 Talleyrand Avenue, Jacksonville, Florida 32206. The comments and other materials referenced in this notice will be available for inspection and copying at the USCG Marine Safety Office at the above address. Normal office hours are between 7:30 a.m. and 4:00 p.m., Monday through Friday, except holidays. Comments may also be hand delivered to this address.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander H. Henderson, c/o Commanding Officer, USCG Marine Safety Office, Tel: (904) 791-2648.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, identify this notice (87-38) and the specific section of the proposal to which their comments apply, and give reasons for each comment. The regulation may be changed in light of comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The drafters of this notice are Lieutenant (junior grade) K.L. Rhodes, project officer for the Captain of the Port, and Lieutenant Commander S.T. Fuger, Jr., project attorney, Seventh Coast Guard District Legal Office.

Discussion of Proposed Regulations

In view of heightened national emphasis on physical security, it is considered critical for the Naval Ordnance Test Unit to effect measures to increase the security posture of U.S. Navy critical assets located at Port Canaveral, Florida. The Commanding Officer, Naval Ordnance Test Unit, has requested by letter that the Coast Guard establish the Security Zones described below, in the vicinity of, and waters adjacent to, the Navy wharves in Port Canaveral Harbor, to enhance security against waterborne threats. The activities to be conducted at these locations are normal naval activities, and are not anticipated to change when the Security Zones are established. The intent of the Security Zones is to prohibit civilian small boat traffic from entering the described areas while providing unrestricted access to those military and maritime vessels authorized by competent military authority. This regulation is issued pursuant to 50 U.S.C. 191, as set out in the authority citation for all of Part 165.

Economic Assessment and Certification

This proposed regulation is considered to be non-major under Executive Order 12291 on Federal regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11-034, February 26, 1979). The economic impact of this proposal is expected to be so minimal that a full regulatory evaluation is unnecessary, as the proposed zones do not impinge upon the ship channel, nor is there likely to be any significant impact upon recreational boating, or on recreational or commercial fishing.

Since the impact of this proposal is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Proposed Regulation

In consideration of the foregoing, the Coast Guard proposes to amend Part 165 of Title 33, Code of Federal Regulations as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5.

2. A new § 165.705 is added to read as follows:

§ 165.705—Port Canaveral Harbor, Cape Canaveral, Florida.

(a) Security Zone A—East (TRIDENT) Basin, Port Canaveral Harbor, at Cape Canaveral Air Force Station, Brevard County, Florida. From the west side of the access channel at latitude 28° 24' 30" N, longitude 080° 35' 36" W, to include the entire basin.

(b) Security Zone B—Middle Basin, Port Canaveral Harbor, adjacent to the Navy wharf at Cape Canaveral Air Force Station, Brevard County, Florida. The waters of Port Canaveral Harbor within a line circumscribing the water approaches to the Navy wharf along the northeasterly edge of the Port Canaveral Harbor turning basin at a distance of 200 feet from all portions of the wharf including the dolphins located 200 feet off the northwest end and 75 feet of the southeast end of the wharf.

(c) Entrance into these zones by vessels other than vessels owned or leased by the United States is prohibited without permission of the Captain of the Port, Jacksonville, FL.

(d) The general regulations governing security zones contained in 33 CFR 165.33 apply.

Dated: October 20, 1987.

R.J. O'Pezio,

Captain, U.S. Coast Guard, Captain of the Port Jacksonville, Florida.

[FR Doc. 87-25715 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF EDUCATION

34 CFR Parts 602 and 603

Secretary's Procedures and Criteria for Recognition of Accrediting Agencies

AGENCY: Department of Education.

ACTION: Proposed rule; extension of comment period.

SUMMARY: On September 8, 1987, the Department of Education published in the **Federal Register** a notice of proposed rulemaking (NPRM) related to procedures and criteria for recognition of accrediting agencies, which provided for a comment period ending October 23, 1987 (52 FR 33908-33913).

In response to numerous requests, the Secretary extends the comment period for all provisions of the NPRM to December 4, 1987.

DATES: The comment period for all provisions of the September 8, 1987, NPRM (52 FR 33908-33913) is extended until December 4, 1987.

ADDRESSES: All comments concerning the proposed regulations should be addressed to Kenneth Whitehead, Deputy Assistant Secretary for Higher Education Programs, Office of Postsecondary Education, U.S. Department of Education (Room 3082, ROB-3), 400 Maryland Avenue, SW., Washington, DC 20202. Telephone (202) 245-9759.

FOR FURTHER INFORMATION CONTACT: James B. Williams, telephone number (202) 245-9759.

Dated: November 3, 1987.

William J. Bennett,

Secretary of Education.

[FR Doc. 87-25884 Filed 11-5-87; 8:45 am]

BILLING CODE 4000-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 4E3100/P434; FRL-3288-4]

Pesticide Tolerance for Fluazifop-Butyl

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes that a tolerance be established for residues of the herbicide fluazifop-butyl in or on the raw agricultural commodity sweet potatoes. The proposed regulation to establish a maximum permissible level for residues of the herbicide in or on the commodity was requested in a petition submitted by the Interregional Research Project No. 4 (IR-4).

DATE: Comments, identified by the document control number [PP 4E3100/P434], must be received on or before December 7, 1987.

ADDRESSES: By mail, submit written comments to:

Information Services Section, Program Management and Support Division (TS-757C), Office of Pesticide Programs, 401 M Street SW., Washington, DC 20460.

In person, bring comments to: Rm. 236, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR Part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 236 at the address given above, from 8 a.m. to 4 p.m., Monday through Friday, excluding holidays.

FOR FURTHER INFORMATION CONTACT: By mail:

Donald R. Stubbs, Emergency Response and Minor Use Section (TS-767C), Registration Division, Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

Office location and telephone number: Rm. 716H, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-557-1806.

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition 4E3100 to EPA on behalf of Dr. Robert H. Kupelian, National Director, IR-4 Project and the Agricultural Experiment Stations of Florida, North Carolina, and Louisiana.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of a tolerance for residues of the herbicide (R)-2-[4-[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxy] propanoic acid (fluazifop), both free and conjugated and of butyl[R]-2[4-[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxy] propanoate (fluazifop-P-butyl), all expressed as fluazifop, in or on the raw agricultural commodity sweet potatoes at 0.5 part per million (ppm).

The data submitted in the petition and other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought. The toxicological data considered in support of the proposed tolerance include:

1. A 2-year chronic feeding/oncogenicity study in rats which was negative for oncogenic potential under the conditions of the study at 3.0 milligrams (mg) per kilogram (kg) of body weight (bw) per day (equivalent to 60 ppm highest dose tested) and a systemic no-observed-effect level (NOEL) of 1 mg/kg/day.

2. A 90-day rat feeding study with a NOEL of 0.5 mg/kg/day (equivalent to 10 ppm).

3. A 90-day dog feeding study with a NOEL of 25 mg/kg/day (equivalent to 1,000 ppm).

4. A rat oral lethal dose LD50 of 3,300 mg/kg.

5. A rat teratology study with a teratogenic and maternal toxicity NOEL of 10 mg/kg/day (equivalent to 200 ppm) and a NOEL for fetotoxicity of 1 mg/kg/day.

6. A rabbit teratology study with no teratogenic effect at 90 mg/kg/day (highest dose tested) and a NOEL for fetotoxicity of 10 mg/kg/day (equivalent to 330 ppm).

7. A two-generation rat reproduction study with a NOEL of 1 mg/kg/day.

8. A 1-year dog feeding study with a NOEL of 5 mg/kg/day.

9. An 18-month mouse chronic feeding/oncogenicity study with no observed oncogenic potential under conditions of the study at 3.0 mg/kg/day

(highest dose tested) and a NOEL for systemic toxicity of 1.0 mg/kg/day (equivalent to 7 ppm).

10. An Ames test (negative), a rat cytogenetic study (negative), and an in-vitro transformation assay (negative).

11. An acute delayed neurotoxicity study in hens (negative).

The acceptable daily intake (ADI), based on the 2-year rat feeding study (NOEL of 1.0 mg/kg/day) and using a 100-fold safety factor, is calculated to be 0.01 mg/kg of body weight (bw)/day. The maximum permitted intake (MPI) for a 60-kg human is calculated to be 0.6 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5-kg daily diet is calculated to be 0.00100 mg/kg/day; the current action will increase the TMRC by 0.00005 mg/kg/day (4.76 percent). Published tolerances utilize 10.0 percent of the ADI; the current action will utilize an additional 0.5 percent.

The nature of the residues is adequately understood, and an adequate analytical method, high-pressure liquid chromatography using an ultraviolet detector, is available in Pesticide Analytical Manual, Volume II (PAM-II), for enforcement purposes.

Based on the above information considered by the Agency, the tolerance established by amending 40 CFR 180.411 would protect the public health. No secondary residues in meat, milk, poultry, or eggs are expected since neither sweet potatoes nor sweet potato vines are considered livestock feed commodities.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this notice in the **Federal Register** that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number, [PP 4E3100/P434]. All written comments filed in response to this petition will be available in the Information Services Section, at the address given above from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 28, 1987.

Edwin F. Tinsworth,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR Part 180 be amended as follows:

1. The authority citation for Part 180 continues to read as follows:

Authority: 21 U.S.C. 346a.

2. Section 180.411(c) is amended by adding and alphabetically inserting the raw agricultural commodity sweet potatoes, to read as follows:

§ 180.411 Fluazifop-butyl; tolerances for residues.

* * * * *

(c) * * *

Commodity	Parts per million
* * * * *	
Sweet potatoes	0.5

[FR Doc. 87-25733 Filed 11-5-87; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PP 6E3425/P431; FRL-3288-3]

Pesticide Tolerance for N-(Mercaptomethyl) Phthalimide S-(O,O-Dimethyl Phosphorodithioate)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes that a tolerance be established for the sum of the residues of the insecticide *N*-(mercaptomethyl) phthalimide *S*-(*O,O*-dimethyl phosphorodithioate) (referred to in this document as phosmet) and its oxygen analog in or on the raw agricultural commodity pistachios. The proposed regulation was proposed in a petition submitted by the Interregional Research Project No. 4 (IR-4).

DATES: Comments, identified by the document control number [PP 6E3425/P431], must be received on or before December 7, 1987.

ADDRESSES:

By mail, submit written comments to: Information Services Section, Program Management and Support Division (TS-757C), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

In person, bring comments to: room 236, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

Information submitted as a comment concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR Part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 236 at the address given above, from 8 a.m. to 4 p.m., Monday through Friday, excluding holidays.

FOR FURTHER INFORMATION CONTACT:

By mail: Donald R. Stubbs, Emergency Response and Minor Use Section (TS-767C), Registration Division, Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

Office location and telephone number: room 716B, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-557-1806.

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition (PP) 6E3425 to EPA on behalf of Dr. Robert H. Kupelian, National Director, IR-4 Project and the Agricultural Experiment Station of California.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of a tolerance for cholinesterase-inhibiting residues of the insecticide phosmet and its oxygen analog *N*-(mercaptomethyl) phthalimide *S*-(*O,O*-dimethyl phosphorothioate) in or

on the raw agricultural commodity pistachios at 0.1 part per million (ppm).

The petitioner proposed that use of phosmet on pistachios be limited to California based on the geographical representation of the residue data submitted. Additional residue data will be required to expand the area of usage. Persons seeking geographically broader registration should contact the Agency's Registation Division at the address provided above.

The data submitted in the petition and other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought.

The toxicological data considered in support of the proposed tolerance include:

1. A 2-year oncogenic study in Charles River strain of albino rats with dosage levels of 0, 20, 40, and 400 ppm (equivalent to 1, 2, and 20 milligrams (mg/kilogram (kg)/day)) was negative for oncogenic effects under the conditions of the study. This study is considered inadequate (supplementary data) for the evaluation of oncogenic potential since the number of animals sacrificed at the end of the study was too small to fully evaluate tumor response. The rat study does, however, demonstrate a NOEL for systemic effects at 2 mg/kg/day (a slight decrease in body weight gain and moderate liver cell vacuolation in male rats).

3. A three-generation reproduction study in rats with a NOEL for reproductive effects at 80 ppm (highest dose tested).

4. Phosmet was negative for mutagenic effects in all tests, except when tested in *S. typhimurium* strain TA–100 without metabolic activation. No mutagenicity studies were performed in mammalian cells in culture.

5. A 2-year oncogenicity study in B6C3F1 mice with dosage levels of 5, 25, and 100 ppm (equivalent to 0.75, 3.75, and 15 mg/kg of body weight/day)) demonstrated an increase in hepatocellular adenomas (also reflected as an increase in the incidence of adenomas/carcinomas combined) at the highest dose level tested (100 ppm) in male mice. There was also evidence for hyperplasia in male mice. The results of the interim sacrifice indicates that the liver tumors occurred in male mice with reduced latency. No significant increase in carcinomas occurred, however, indicating that there was no clear trend of progressing to malignancy. Phosmet also produced positive trends for adenomas, carcinomas, and both tumor types combined in female mice, but none of these tumors were significantly elevated at the highest dose level tested, and there was no hyperplasia and no indication that the tumors occurred with a reduced latency period.

The Agency has concluded that the data constitutes limited evidence of oncogenicity and has tentatively classified phosmet as a Category C carcinogen (possible human carcinogen), pending the submission and evaluation of a repeat 2-year oncogenicity study in rats and additional mutagenicity studies. In accordance with the "Guidelines for Carcinogen Risk Assessment," published in the **Federal Register** of September 24, 1986 (51 FR 33992), the Agency has decided not to develop a quantitative estimation of the oncogenic potential of phosmet until the requested studies are submitted and evaluated in conjunction with the mouse oncogenicity study.

The acceptable daily intake (ADI), based on the 2-year feeding study (rats) with a NOEL of 2.0 mg/kg/day and using a 100-fold safety factor, is calculated to be 0.02 mg/kg of body weight (bw)/day. The maximum permitted intake (MPI) for a 60-kg human is calculated to be 1.2 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5-kg daily diet of a 60-kg human is calculated to be 1.179 mg/day; the current action will increase the TMRC by 0.000045 mg/day (0.004 percent). Published tolerances utilize 98.275 percent of the ADI; the current action will utilize an additional 0.004 percent. The Agency concludes that the amount of phosmet added to the diet from the proposed use will not significantly increase dietary exposure. Thus the tolerance established by this proposed rule is considered to pose a negligible increment in risk.

The nature of the residues for the proposed use on pistachios is adequately understood. The residues of concern consist of the parent compound phosmet and its oxygen analog. An adequate analytical method, gas chromatography, is available in FDA's *Pesticide Analytical Manual,* Volume II (PAM II), Method III, for enforcement purposes. There is no expectation of secondary residues in meat and milk since pistachios are not considered an animal feed commodity. There are currently no actions pending against the continued registration of this chemical. Since the ADI is now established based on systemic effects, it is no longer appropriate to express the tolerance in terms of cholinesterase-inhibiting residues. The tolerance regulation under 40 CFR 180.261 will, therefore, be revised to express phosmet tolerances in terms of "the sum of the residue for *N*-(mercaptomethyl) phthalimide *S*-(*O,O*-dimethyl phosphorodithioate) and its oxygen analog."

Based on the data and information considered, the Agency concludes that the tolerance will protect the public health. Therefore, it is proposed that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this notice in the **Federal Register** that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Comments should bear a notation indicating the document control number, [PP 6E3425/P431]. All written comments filed in response to this petition will be available in the Information Services Section, at the address given above from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96–354, 94 Stat. 1164, 5 U.S.C. 601–612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Recording and recordkeeping requirements.

Dated: October 28, 1987.

Edwin F. Tinsworth,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR Part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for Part 180 continues to read as follows:

Authority: 21 U.S.C. 346a.

2. Section 180.261 is amended by designating the current text and list of tolerances as paragraph (a), by revising the introductory text of designated paragraph (a), and by adding new paragraph (b), to read as follows:

§ 180.261 N-(Mercaptomethyl) phthalimide S-(O,O-dimethyl phosphorodithioate) and its oxygen analog; tolerances for residues.

(a) Tolerances are established for the sum of the residue for the insecticide *N*-(mercaptomethyl) phthalimide *S*-(*O,O*-dimethyl phosphorodithioate) and its oxygen analog *N*-(mercaptomethyl) phthalimide *S*-(*O,O*-dimethyl phosphorothioate) in or on the following raw agricultural commodities:

* * * * *

(b) Tolerances with regional registration, as defined in § 180.1(n), are established for the sum of the residue for the insecticide *N*-(mercaptomethyl) phthalimide *S*-(*O,O*-dimethyl phosphorodithioate) and its oxygen analog *N*-(mercaptomethyl) phthalimide *S*-(*O,O*-dimethyl phosphorothioate) in or on the following raw agricultural commodity:

Commodity	Parts per million
Pistachios	0.1

[FR Doc. 87-25734 Filed 11-5-87; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-6912]

Proposed Flood Elevation Determinations; Correction

AGENCY: Federal Emergency Management Agency.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects a Notice of Proposed Determinations of base (100-year) flood elevations previously published at 52 FR 22801 on June 16, 1987. This correction notice provides a more accurate representation of the Flood Insurance Study and Flood Insurance Rate Map for the City of Vidalia, Toombs and Montgomery Counties, Georgia.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Matticks, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Managment Agency, Washington, DC 20472, (202) 646-2751.

SUPPLEMENTARY INFORMATION: The Federal Emergency Managment Agency gives notice of the correction to the Notice of Proposed Determinations of base (100-year) flood elevations for selcted locations in the City of Vidalia, previously published at 52 FR 22801 on June 16, 1987, in accordance with section 110 of the Flood Disaster Protction Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a)).

List of Subjects in 44 CFR Part 67

Flood insurance, Flood plains.

The proposed based (100-year) flood elevations for selected locatations are:

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS

Source of flooding and location	# Depth in feet above ground. ^ Elevation in feet (NGVD)
Rocky Creek:	
About 1.3 miles downstream of Norfolk Southern Railway	^ 188
Just downstream of the Norfolk Southern Railway	^ 196
Just upstream of the Norfolk Southern Railway	^ 207
About 1.0 miles upstream of Adams Street	^ 215
Rocky Creek Tributary No. 1:	
Abouty 2,000 feet downstream of North Maple Drive	^ 207
Just upstream of Meadows Lane	^ 248
Rocky Creek Tributary No. 1A:	
At mouth	^ 213
Just upstream of Harris Industrial Boulevard	^ 220
Rocky Creek Tributary No. 2:	
About 450 feet downstream of Clydette Boulevard	^ 197
Just downstream of dam	^ 242
About 1,800 feet upstream of dam	^ 253
Rocky Creek Tributary No. 3:	
At mouth	^ 207
Just downstream of CSX railroad	^ 258
Just upstream of CSX railroad	^ 264
Rocky Creek Tributary No. 3A:	
At mouth	^ 228
Just downstream of Seventh Street	^ 235
Just upstream of Seventh Street	^ 240
Rocky Creek Tributary No. 4:	
At mouth	^ 207
Just downstream of Dam No. 1	^ 234
About 1,300 feet upstream of Dam No. 1	^ 244
Little Rocky Creek Tributary:	
Just upstream of Ezra Taylor Road	^ 223
Just downstream of dam	^ 245
About 1,450 feet upstream of dam	^ 252
Swift Creek:	
About 1.0 mile downstream of Old Swainsboro Road	^ 178
About 3,000 feet upstream of Cadillac Drive	^ 189
Swift Creek Tributary No. 1:	
Abouty 2,650 feet downstream of Noth Loop Road	^ 191
Just downstream of dam	^ 216
Just upstream of dam	^ 225
Just upstream of Georgia Street	^ 266
Swift Creek Tributary No. 1A:	
At mouth	^ 202
Just downstream of North Street	^243
Just upstream of North Street	^ 249
About 600 feet upstream of North Street	^ 249
Swift Creek Tributary No. 2:	
About 300 feet upstream of Thompson Pond Road	^ 198
About 1,750 feet upstream of Thompson Pond Road	^ 204

Issued: November 2, 1987.

Harold T. Duryee,

Administrator, Federal Insurance Administration.

[FR Doc. 25718 Filed 11-5-87; 8:45 am]

BILLING CODE 6718-03-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

45 CFR Part 1157

Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (Common Rule)—Appropriateness of Requiring Affected Applicants To Submit Standard Form Applications to Programs Primarily Serving Other Types of Applicants

AGENCY: National Endowment for the Arts.

ACTION: Notice of request for public comment.

SUMMARY: The revised OMB Cir A-102 and its accompanying Common Rule would require state and local government appliants to utilize standard application forms for all discretionary federal grant programs. While state and local government are generally eligible to apply to programs of the National Endowment for the Arts, the majority of Endowment programs are oriented toward nonprofit organizations and have application forms specifically designed for the Agency's program review and grant decision-making requirements. Therefore, the Arts Endowment believes that it is in the public interest to require all applicants to a program specifically designed to assist nonprofit organizations to submit only the same application forms.

DATE: Comments must be received on or before December 7, 1987.

ADDRESS: Send comments to: Grants Office, National Endowment for the Arts, 1100 Pennsylvania Avenue NW., Room 204, Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Mr. Larry Baden, Grants Officer, National Endowment for the Arts, 1100 Pennsylvania Avenue NW., Room 204, Washington, DC 20506; (202-682-5403).

SUPPLEMENTARY INFORMATION:

Background

In the **Federal Register** on Tuesday, June 9, 1987 (52 FR 21848), 23 federal agencies published a proposed common rule on Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, to implement OMB's proposed revision of

Circular A–102. This proposed rule would require all state and local governments to utilize standard application forms when applying for assistance to any discretionary federal program—regardless of whether the primary purpose of the program was to provide assistance to state and local governments.

Agency Programs

The National Endowment for the Arts administers programs which have been specifically designed to assist state and local government entities such as its State Programs, Local Programs and Arts in Education Program. However, the majority of the Endowment's programs have not been specifically designed to assist state and local governmental applicants, although state and local governments are, generally, eligible recipients. These programs, Dance, Design, Expansion Arts, Folk Arts, Inter-Arts, Literature, Media Arts, Museums, Music, Opera-Musical Theater, Theater, Visual Arts and Advancement, in fact, have been designed primarily to assist nonprofit organizations subject to the provisions of OMB Circular A–110. (Certain of these programs also provide direct support to individuals.)

The guidelines and application forms developed for A–110 programs request sufficient and specific information to enable the Endowment to detemine which projects/activities should be supported. This determination involves review by peer panels, the National Council on the Arts, and the Chairperson of the Endowment. Consistency in format and presentation of all applications is a necessary element in assuring evenhandedness of that review process.

The A–110 programs receive approximately 16,000 applications annually from individuals and organizations. This constitutes approximately 94% of the total applications received by the Endowment. Of these 16,000 applications, less than 4% were from applicants subject to the provisions of OMB Circular A–102 and the proposed common rule.

Under the proposed common rule, A–102 organizations would be required to use the standard forms when applying to these programs. However, the standard forms do not contain all program specific information necessary for appropriate view of these applications. Therefore, A–102 organizations would have to submit the program applications as well as the standard from applications or risk being at a disadvantage in the application evaluation process.

Agency Recommendation

It is the Endowment's recommendation that applicants to any Endowment program not specifically established to assist state and local government entities and wherein the majority of applicants are subject to the provisions of OMB Circular A–110 be required to utilize the application forms specifically developed for these programs and not the standard application forms required of those applicants subject to the provisions of OMB Circular A–102 and the proposed rule.

It is our contention that requiring the program specific forms in lieu of the standard forms would not place any new burdens on applicants. In fact, such a policy should reduce the burdens upon applicants since they are generally familiar with Endowment program specific forms. Further, it is our contention that requiring both the standard forms and the program specific forms (both of which would be necessary) would place an undue burden solely on applicants subject to the provisions of OMB Circular A–102.

The National Endowment for the Arts seeks public comment on its recommendation.

Cynthia Rand,

Director, Information Management Division, National Endowment for the Arts.

[FR Doc. 87–25805 Filed 11–5–87; 8:45 am]

BILLING CODE 7537–01–M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 7

[OST Docket No. 43466, Notice No. 87–22]

Public Availability of Information; Freedom of Information Act

AGENCY: Office of the Secretary, DOT.

ACTION: Supplemental notice of proposed rulemaking and request for comments.

SUMMARY: The Department of Transportation is proposing to revise Subpart I and certain Appendices to its regulations implementing the Freedom of Information Act [49 CFR Part 7]. The Freedom of Information Reform Act of 1986 [Pub. L. 99–570, Sections 1801–1804], enacted October 27, 1986, requires each agency to promulgate by April 25, 1987 new regulations specifying its schedule of fees applicable to the processing of requests under the Freedom of Information Act and establishing its procedures and guidelines for determining when such fees should be waived or reduced. The proposed changes to the Department's regulations are intended to comply with the statutory changes.

DATE: Comments must be received by December 7, 1987.

ADDRESSES: Comments should be addressed to the Docket Clerk, OST Docket No. 43466, Office of the General Counsel, C–55, U.S. Department of Transportation, Washington, DC 20590. Comments are available for public examination in the Docket Section, 400 Seventh Street SW., Room 4107, Washington, DC, Monday through Friday, from 9:00 a.m. to 5:00 p.m. e.t. Persons wishing to have receipt of their comments acknowledged must send a stamped, self-addressed postcard with their comments. The Docket Clerk will return these postcards when the comments are docketed.

FOR FURTHER INFORMATION CONTACT: Rebecca H. Lima, Chief, Freedom of Information Act Division, Office of the Assistant Secretary for Public Affairs, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590, 202–366–4542.

SUPPLEMENTARY INFORMATION: The Department of Transportation issued a Notice of Proposed Rulemaking (NPRM) on October 17, 1985 [50 FR 42049] seeking public comments concerning numerous proposed revisions to its existing regulations in 49 CFR Part 7. These regulations, implementing the Freedom of Information Act (FOIA), were last revised in 1975 [40 FR 7915; February 24, 1975]. While public comments concerning these proposed revisions were still under consideration by the Department, Congress enacted The Freedom of Information Reform Act of 1986 (the Act). The Act contains specific requirements which make it necessary to include changes in our proposed revision of Part 7 that were not contemplated when the October 17, 1985 NPRM was published. This supplemental NPRM is being published to give the public an opportunity to comment concerning the additional changes to our proposed regulation necessitated by the Act. We expect to publish a final version of Subpart I befored the rest of revised Part 7.

Under the Act, the Director of the Office of Management and Budget (OMB) is required to promulgate, pursuant to notice and receipt of public comment, guidelines which provide for a uniform schedule of FOIA fees for all agencies. Each agency is then required

to promulgate by April 25, 1987 regulations, pursuant to notice and receipt of public comment, which are based on the OMB guidelines and which set forth the schedule of fees to be used by the agency and establish procedures and guidelines for determining when such fees should be waived or reduced. In addition, the Department of Justice (DOJ) has furnished guidance to agencies on the 1986 amendment to FOIA's fee waiver provisions.

Based on the OMB guidelines, which were promulgated on March 27 [52 FR 10011], with an effective date of April 27, 1987, the Department is proposing revisions to Subpart I and certain of the Appendices to 49 CFR Part 7.

Proposed § 7.91 would revise the general information concerning fees to clarify the scope and application of Subpart I and to add terms defined by the OMB guidelines and define a new term "hourly rate" as used in Subpart I.

Proposed § 7.93 contains revisions designed to insure the public is aware that under some conditions search fees or review charges may be charged even if no records are located or even if records located are not released because they are determined to be exempt. Proposed changes would also make it clear that advance payment of fees may not be required except under specific conditions that are set forth in the proposed regulations. Advance notice to a requester would be required if fees are likely to be more than $25. The proposed notice would include information about how to contact Department officials who may be able to assist the requester in reformulating the request with a view toward meeting the requester's needs at a lower cost.

Additional provisions in proposed § 7.93 would make it clear that the Department will charge interest on fees when bills are not paid within 30 days. The proposed changes also point out that the Department will, as permitted by federal debt collection laws, impose handling charges and penalties when fees due are not paid in a timely manner, and will, in appropriate cases, use other authorized methods to encourage payment of overdue amounts.

Finally, proposed § 7.93 would make it clear that the Department will not make any charge for processing any FOIA request if the fees that would be payable by the requester are less than $10, the cost to the Department of processing the fee. However, if the Department has reason to believe that requester or group of related requesters has submitted a number of smaller requests, rather than one large one to avoid this threshold, the requests will be treated as one request for this purpose.

Proposed § 7.95 would establish a schedule of standard fees designed to enable the Department to recover the full allowable direct costs incurred in processing an FOIA request. Search charges and review charges would be based on the actual direct salary costs for employees who perform the activities. Salary costs would consist of the actual hourly pay of the employee plus 16 percent to cover the costs of benefits. Search costs for a computer search would be based on the actual cost of operating the central processing unit used and the salary costs of the operating/programming personnel used.

Under the proposed standard fee schedule, a flat rate of $0.10 per standard page would apply to standard reproduction by photocopy or similar methods. However, the standard fees that would be charged by the Department for duplication of records by any other method would be the actual direct costs incurred, including salary costs for time spent by those who must prepare the duplicates.

Proposed § 7.97 sets forth circumstances under which the Department must charge a reduced fee or not charge any fee, depending on the type of requester and the use for which the records are requested. These limitations on the charging of fees are specified by the Act, and the proposed regulations are in accord with the implementing guidelines promulgated by OMB.

The final portion of proposed § 7.97 sets forth the conditions, established by the Act, which, if satisfied, require a reduction or waiver of the fees that would otherwise be charged. The proposed section also includes factors the Department would use in determining whether the statutory conditions requiring a waiver or reduction of fees have been met.

Sections 7.99, 7.101 and 7.103 provide information about how the Department would process requests for transcripts of proceedings or for copyrighted materials and information about alternative sources of information outside the Department.

Since some of the existing Appendices to 49 CFR Part 7 and some of the Appendices as published in the NPRM of October 17, 1985 include information about fees that is in conflict with Subpart I as it is now being proposed, the Department is proposing changes to the Appendices to remove any conflict with proposed Subpart I. The proposed change to Appendix B would also provide information reflecting a recent reorganization of the U.S. Coast Guard that resulted in consolidation of some facilities.

The proposed changes in Subpart I and certain Appendices to 49 CFR Part 7 are necessary to comply with statutory changes, and final regulations are required to be promulgated as quickly as possible. For that reason, the Department has developed this separate NPRM seeking public comments relative only to proposed changes to Subpart I and certain Appendices. However, consideration of all public comments received in response to the more comprehensive NPRM published on October 17, 1985 will continue, and final regulations revising all of 49 CFR Part 7 will be promulgated in the near future. In the meantime, any public comments concerning proposed changes to Subpart I or any of the Appendices that were received in response to the October 17, 1985 NPRM will be reviewed along with any new comments received in response to this NPRM before a final rule concerning Subpart I and the Appendices is published.

The Department has a statutory deadline of April 25, 1987 to publish final regulations concerning standard fee schedules and fee waiver guidelines. Since the OMB guidelines that were required to be used in developing the standard fee schedule were not published until March 27, 1987, we are not able to allow an extended period for public comment concerning our proposed changes and also wait 30 days after publication before having the final regulations be effective. Therefore, we are providing 30 days for public comment, and will make the final regulations effective immediately upon publication. We believe this is appropriate under the circumstances and is necessary in order for the Department to substantially comply with the statutory deadline for promulgation of final regulations while providing the public meaningful opportunity for comment.

The Department has determined that this proposed rule is not a major rule under Executive Order 12291. However, this proposed rule is significant under the Department's Regulatory Policies and Procedures [44 FR 11034, February 26, 1979] since it concerns a matter in which there is a substantial public interest or controversy. The Department has also determined that the expected economic impact of the proposal is so minimal that a full regulatory evaluation is unwarranted. For this reason, I certify that, under the criteria of the Regulatory Flexibility Act [5 U.S.C. 601, et. seq.], this rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. Although proposed changes to existing

requirements would increase the fees associated with furnishing records under the Freedom of Information Act, the expected cost to small entities that request such records will not be significant. Such costs would be significant only in rare circumstances where Departmental personnel must search for, collect, and provide copies of a voluminous amount of records demanded in a particular Freedom of Information Act request. Any such cost increases would in part at least be balanced by the provisions making information available to certain categories of requesters free or at a reduced charge.

List of Subjects in 49 CFR Part 7

Freedom of Information, Administrative practice and procedure Records.

Issued in Washington, DC on October 30, 1987.

Jim Burnley,

Deputy Secretary of Transportation.

In consideration of the foregoing, it is proposed to amend 49 CFR as follows:

PART 7—PUBLIC AVAILABILITY OF INFORMATION

1. The authority citation for Part 7 continues to read as follows:

Authority: 5 U.S.C. 552; Pub. L. 93–502, 88 Stat. 1565; 31 U.S.C. 438; 49 U.S.C. 1657.

2. Subpart I consisting of §§ 7.91 through 7.103 is revised to read as follows:

Subpart I—Fees

Sec.
7.91 General.
7.93 Payment of fees.
7.95 Fee schedule.
7.97 Services performed without charge or at a reduced charge.
7.99 Transcripts.
7.101 Copyrighted material.
7.103 Alternate sources of information.

Subpart I—Fees

§ 7.91 General.

(a) This subpart prescribes fees for services performed for the public under Subparts E and F of this part by the Department.

(b) All terms defined by the Freedom of Information Act apply to this subpart, and the term "hourly rate" means the actual hourly base pay for a civilian employee or, for members of the Coast Guard, the equivalent hourly pay rate computed using a 40 hour week and the member's normal basic pay and allowances.

(c) This subpart applies to all employees of the Department, including those of non-appropriated fund activities of the United States Coast Guard and the Maritime Administration.

(d) This subpart does not apply to any special study, special statistical compilation, table, or other record requested under 49 U.S.C. 329(c). The fee for the performance of such a service is the actual cost of the work involved in compiling the record. All such fees received by the Department in payment of the cost of such work are deposited in a separate account administered under the direction of the Secretary, and may be used for the ordinary expenses incidental to providing the information.

(e) This subpart does not apply to requests from record subjects for records about themselves filed in Departmental systems of records. Fees for such requests are to be determined in accordance with the Privacy Act of 1974.

§ 7.93 Payment of fees.

(a) The fees prescribed in this subpart may be paid by check, draft, or money order, payable to the Treasury of the United States. However, in the case of the Saint Lawrence Seaway Development Corporation, all fees resulting from a request to that operating element shall be made payable to the Saint Lawrence Seaway Development Corporation.

(b) Charges may be assessed by the Department for time spent searching for requested records even if the search fails to locate the records or the records located are determined to be exempt from disclosure. In addition, if records are requested for commercial use, the Department may assess a fee for time spent reviewing any responsive records located to determine whether they are exempt from disclosure.

(c) When it is estimated that the search charges, review charges, duplication fees or any combination of fees that could be charged to the requester will likely exceed $25, the requester shall be notified of the estimated amount of the fees, unless the requester has indicated in advance his or her willingness to pay fees as high as those anticipated. The notice shall also inform the requester how to consult with appropriate Departmental officials with the object of reformulating the request to meet his or her needs at a lower cost.

(d) Payment of fees may be required by the Department prior to actual duplication or delivery of any releasable records to a requester. However, advance payment of fees, i.e., payment before work is commenced or continued on a request, may not be required unless:

(1) Allowable charges that a requester may be required to pay are likely to exceed $250; or

(2) The requester has failed to pay within 30 days of the billing date fees charged for a previous FOIA request.

(e) When paragraph (d)(1) of this section applies, the requester shall be notified of the likely cost and, where he or she has a history of prompt payment of FOIA fees, requested to furnish satisfactory assurance of full payment. Where no history of payment exists, the requester may be required to make advance payment of any amount up to the full estimated charges.

(f) When paragraph (d)(2) of this section applies, the requester shall be required to demonstrate that the fee has, in fact, been paid or to pay the full amount owed, including any applicable interest, late handling charges and penalty charges as discussed below. The requester shall also be required to make an advance payment of the full amount of the estimated fee before processing of a new request or continuation of a pending request is begun.

(g) The Department will assess interest on an unpaid bill starting on the 31st day following the day on which the notice of the amount due is first mailed to the requester. Interest will accrue from the date of the notice of amount due and will be at the rate prescribed in section 3717 of Title 31, U.S.C. Receipt by the Department of a payment for the full amount of the fees owed within 30 calendar days after the date of the initial billing will stay the accrual of interest, even if the payment has not been processed.

(h) If payment of fees charged is not received within 30 calendar days after the date the initial notice of the amount due is first mailed to the requester, an administrative charge will be assessed by the Department to cover the cost of processing and handling the delinquent claim. In addition, a penalty charge will be applied with respect to any principal amount of a debt that is more than 90 days past due. Where appropriate, other steps permitted by federal debt collection statutes, including disclosure to consumer reporting agencies and use of collection agencies, will be utilized by the Department to encourage payment of amounts overdue.

(i) In any instance where the Department reasonably believes that a requester or a group of requesters acting in concert is attempting to break down a single FOIA request into a series of requests for the sole purpose of evading the payment of otherwise applicable fees, the Department will aggregate the

requests and determine the applicable fees on the basis of the aggregation.

(j) Notwithstanding any other provision of this subpart, when the total amount of fees that could be charged for a particular request (or aggregation of requests) under Subpart F, after taking into account all services which must be provided at no charge or at a reduced charge, is less than $10.00 the Department will not make any charge for fees.

§ 7.95 Fee schedule.

(a) The standard fee for a manual search to locate a record requested under Subpart F of this part, including making it available for inspection, will be determined by multiplying each searcher's hourly rate plus 16 percent by the time spent conducting the search.

(b) The standard fee for a computer search for a record requested under Subpart F of this part is the actual cost. This includes the cost of operating the central processing unit (CPU) for the time directly attributable to searching for records responsive to a FOIA request and the operator/programmer salary (hourly rate plus 16 percent) costs apportionable to the search.

(c) The standard fee for review of records requested under Subpart F of this part is the reviewer's hourly rate plus 16 percent multiplied by the time he or she spent determining whether the requested records are exempt from mandatory disclosure.

(d) The standard fee for duplication of a record requested under Subpart F of this part is determined as follows:

(1) Per copy of each page (not larger than 8½ X 14 inches) reproduced by photocopy or similar methods (includes costs of personnel and equipment), $0.10.

(2) Per copy prepared by computer, such as tapes or printout, Actual costs, including operator time.

(3) Per copy prepared by any other method of duplication, Actual direct cost of production.

(e) Depending upon the category of requester, and the use for which the records are requested, in some cases the fees computed in accordance with the above standard fee schedule must either be reduced or not changed, as prescribed by other provisions of this subpart.

(f) The following special services not required by the FOIA may be made available upon request at the stated fees:

(1) Certified copies of documents:

(i) With Department of Transportation or operating element seal (where authorized), $4.00.

(ii) True copy, without seal, $2.00.

§ 7.97 Services performed without charge or at a reduced charge.

(a) No fee is to be charged to any requester making a request under Subpart F for the first two hours of search time unless the records are requested for commercial use. For purposes of this subpart, when a computer search is required two hours of search time will be considered spent when the hourly cost of operating the central processing unit used to perform the search added to the computer operator's salary costs (hourly rate plus 16 per cent) equals two hours of the computer operator's salary costs (hourly rate plus 16 percent).

(b) No fee is to be charged for any time spent searching for a record requested under Subpart F if the records are not for commercial use and the requester is a representative of the news media, an education institution whose purpose is scholarly research, or a non-commercial scientific institution whose purpose is scientific research.

(c) No fee is to be charged for duplication of the first 100 pages (standard paper, not larger than 8½ X 14 inches) of records provided to any requester in response to a request under Subpart F unless the records are requested for commercial use.

(d) No fee is to be charged to any requester for review of a record requested under Subpart F to determine whether it is exempt from disclosure unless the records are requested for commercial use. A review charge may not be charged except with respect to an initial review to determine the applicability of a particular exemption to a particular record or portion of a record. A review charge may not be assessed for review at the administrative appeal level. When records or portions of records withheld in full under an exemption which is subsequently determined not to apply are reviewed again to determine the applicability of other exemptions not previously considered, this is considered an initial review for purposes of assessing a review charge.

(e) A waiver of reduction of the fees that would otherwise be applicable to a particular request is a discretionary determination on the part of the official(s) having initial denial authority. Documents will be furnished without charge or at a reduced charge if the Assistant Secretary for Public Affairs, or his or her designee, or official(s) having initial denial authority, as the case may be, determine that disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

(f) Factors to be considered by officials of the Department authorized to determine whether a waiver or reduction of fees will be granted include:

(1) Whether the subject matter of the requested records concerns the operations or activities of the Federal government;

(2) Whether the disclosure is likely to contribute to an understanding of Federal government operations or activities;

(3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requester or a narrow segment of interested persons;

(4) Whether the contribution to public understanding of Federal government operations or activities will be significant;

(5) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and

(6) Whether the magnitude of any identified commercial interest of the requester is sufficiently large in comparison with the public interest in disclosure that disclosure is primarily in the commercial interest of the requester.

§ 7.99 Transcripts.

Transcripts of hearings or oral arguments are available for inspection. Where transcripts are prepared by a nongovernmental contractor, and the contract permits the Department to handle the reproduction of further copies, Subpart I applies. Where the contract for transcription services reserves the sales privilege to the reporting service, any duplicate copies must be purchased directly from the reporting service.

§ 7.101 Copyrighted material.

Unless approval is secured from the copyright holder, the Department will not reproduce or otherwise disseminate a copy of a copyrighted work to a requester under the FOIA. However, the Department will make arrangements to enable a requester to review the copyrighted work at a Departmental facility.

§ 7.103 Alternative sources of information.

In the interest of making documents of general interest publicly available at as low a cost as possible, alternative sources shall be arranged whenever possible. In appropriate instances, material that is published and offered for sale may be obtained from the

Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402; the U.S. Department of Commerce's National Technical Information Service (NTIS), Springfield, Virginia 22151; or the National Audio-Visual Center, National Archives and Records Administration, Capital Heights, MD 20743–3701.

3. In Part 7, Appendices A through H are revised, and Appendices I and J are added to read as follows:

Appendix A—Office of the Secretary

1. *General.* This appendix describes the location and hours of operation of the document inspection facility of the Office of the Secretary (OST); the kinds of records that are available for public inspection and copying at the facility; and the procedures by which members of the public may make requests for records.

2. *Document inspection facilities.* The document inspection facility for records of the Office of the Secretary other than those required to be filed in connection with docketed aviation matters is maintained by the Office of the Assistant Secretary for Public Affairs, Suite 9421 of the Headquarters Building, located at 400 Seventh Street SW., Washington, DC 20590. This facility is open to the public from 9:00 a.m. to 5:00 p.m. e.t., Monday through Friday, except legal public holidays and other special closings. The document inspection facility for documents required to be filed in connection with docketed aviation matters is maintained by the Documentary Services Division, Office of the General Counsel, Suite 4107 of the Headquarters Building. This facility is open to the public from 9:00 a.m. to 5:00 p.m. e.t., Monday through Friday, except legal public holidays and other special closings.

3. *Records available through the document inspection facilities.* The following records are available through the document inspection facilities:

(a) Any material issued by the Office of the Secretary and published in the **Federal Register**, including regulations.

(b) Final opinions (including concurring or dissenting opinions) and orders made in the adjudication of cases and issued by the Office of the Secretary.

(c) Any policy or interpretation issued by the Office of the Secretary, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.

(d) Any administrative staff manual or instruction to staff, issued by the Office of the Secretary, that affects any member of the public, including the prescribing of any standard, procedure, or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public.

(e) Formal pleadings filed in connection with docketed aviation proceedings, including applications, complaints, motions, petitions, answers, comments and replies.

(f) *DOT orders.* DOT orders that are issued by the Department and used primarily to promulgate internal DOT policy, instructions, and general guidance.

(g) *DOT notices.* DOT notices that are issued by the Department and contain short-term instructions or information that is scheduled to remain in effect for fewer than 90 days or for a predetermined period of time normally not to exceed one year.

(h) *OST orders.* OST orders that are issued by the Office of the Secretary (OST) and used primarily to promulgate internal OST policy, instructions, and general guidance.

(i) *OST notices.* OST notices that are issued by the Office of the Secretary and contain short-term instructions or information which is expected to remain in effect for fewer than 90 days or for a predetermined period of time normally not to exceed one year.

4. *Requests for records under Subpart F of this part.* Each person desiring to inspect an OST record, or to obtain a copy thereof, should submit a written request to the Assistant Secretary for Public Affairs, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590. If it is unknown where in DOT the record(s) sought may be found, the request may be submitted to the Assistant Secretary for Public Affairs, who will ensure the appropriate processing.

5. *The official having authority to make determinations on requests,* pursuant to the Freedom of Information Act, is limited to the Assistant Secretary for Public Affairs or his or her designee.

6. *Reconsideration of determinations not to disclose records and to deny fee waivers.* Any person who has been notified that a record or part of a record that has been requested cannot be disclosed or that a request for a fee waiver or reduction cannot be granted, either in whole or in part, may appeal, in writing, to the General Counsel, U.S. Department of Transportation, for reconsideration of that request. The decision of the General Counsel is administratively final.

Appendix B—United States Coast Guard

1. *General.* This appendix describes the document inspection facilities of the U.S. Coast Guard, the kinds of records that are available for public inspection and copying at those facilities, and the procedures by which members of the public may make requests for identifiable records.

2. *Document inspection facilities.* The document inspection facilities are located at the offices of the Commandant and District Commanders. The address for each of these facilities is set forth below. They are open during the hours specified. The States or regions within the jurisdiction of each District are also provided.

Commandant (G–CMA), U.S. Coast Guard, Washington, DC 20593. The facility is located at Coast Guard Headquarters, Management Analysis Division, 2100 Second Street SW., Washington, DC 20593. 7:00 a.m.–3:30 p.m. e.t.

Commander, First Coast Guard District, Coast Guard Building, 408 Atlantic Building, Boston, MA 02210. 8:00 .am.–4:30 p.m. e.t. (Maine, Massachusetts, Connecticut, New Hampshire, Rhode Island, Vermont, New Jersey (northeastern), and New York (eastern)).

Commander, Second Coast Guard District, 1430 Olive Street, St. Louis, MO 63103. 8:45 a.m.–5:15 p.m. c.t. (Alabama (northern), Arkansas, Colorado, Illinois (parts), Indiana (parts), Iowa, Kansas, Kentucky, Minnesota (parts), Mississippi (northern), Missouri, Nebraska, North Dakota, Ohio (parts), Oklahoma, Pennsylvania (western), South Dakota, Tennessee, West Virginia, Wisconsin (western), and Wyoming)).

Commander, Fifth Coast Guard District, Federal Office Building, 431 Crawford Street, Portsmouth, Virginia 23705. 8:00 a.m.–4:30 p.m. e.t. (Maryland, North Carolina, Virginia, New Jersey (southwestern), Delaware, Pennsylvania (eastern), and the District of Columbia).

Commander, Seventh Coast Guard District, Federal Building, Room 1018, 51 SW First Avenue, Miami, FL 33130. 8:00 a.m.–4:30 p.m. e.t. (Florida (parts), Georgia (parts), South Carolina, and Puerto Rico)).

Commander, Eighth Coast Guard District, 500 Camp Street, New Orleans, LA 70130. 7:45 a.m.–4:15 p.m. c.t. (Alabama (parts), Florida (northeastern), Georgia (southeastern), Louisiana, Mississippi (parts), New Mexico, and Texas)).

Commander, Ninth Coast Guard District, 1240 East Ninth Street, Cleveland, OH 44199. 7:30 a.m.–4:00 p.m. e.t. (Illinois (northeastern), Indiana (northern), Michigan, Minnesota (northern), New York (northwestern), Ohio (northern), Pennsylvania (northeastern), Wisconsin (eastern)).

Commander, Eleventh Coast Guard District, 400 Oceangate Boulevard, Long Beach, CA 90882. 8:00 a.m.–4:30 p.m. p.t. (Arizona, California, Nevada, and Utah)

Commander, Thirteenth Coast Guard District, Federal Building, Room 3590. 915 Second Avenue, Seattle, WA 98174. 7:45 a.m.–4:15 p.m. p.t. (Idaho, Montana, Oregon, and Washington)

Commander, Fourteenth Coast Guard District, 300 Ala Moana Boulevard, Honolulu, HI 96850. 6:30 a.m.–3:00 p.m. Hawaii-Aleutian Standard Time. (Hawaii)

Commander, Seventeenth Coast Guard District, Federal Building, 709 West 9th Street, Post Office Box 3–5000, Juneau, AK 99802. 8:00 a.m.–4:00 p.m. Alaska Time. (Alaska)

3. *Records available at document inspection facilities.*

(a) The following records are available at any U.S. Coast Guard document inspection facility:

(1) Final opinions and orders made in the adjudication of cases by the Commandant, U.S. Coast Guard.

(2) U.S. Coast Guard numbered publications that affect any member of the public, including the prescribing of any standard, procedure, or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public.

(b) Opinions and orders of administrative law judges are available at the document inspection facility of the Office of the Commandant and the district in which the administrative law judge is located.

(c) Policies and interpretations issued within the U.S. Coast Guard (including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation) are available at the document inspection facility of the Office of the Commandant.

(d) An index of the records located at each facilities maintained at the facility.

(e) The records and the index may be inspected at the facility, without charge. Copies of records may be obtained upon payment of the fee prescribed in Subpart I of this part.

4. *Requests for records under Subpart F of this part.* Each person desiring to inspect a record, or obtain a copy thereof, should submit the request in writing to the U.S. Coast Guard office at which such record is located. The addresses of the Commandant and District Commanders are listed in section 2 of this Appendix. If the office at which the record is located is unknown, the request may be submitted to the Office of the Commandant at the address listed in section 2 of this Appendix. The following gives illustrations of types of records and specifies where requests for such records are appropriately addressed:

(a) Examples of records for which requests may properly be made to either the Office of the Commandant, U.S. Coast Guard or office of the appropriate District Commander include the following:

(1) Marine Casualty investigative records.

(2) Records of certificates and licenses issued.

(3) Merchant vessel inspection records.

(4) Records of merchant vessel documentation and recording of sales and other dispositions.

(5) Records of U.S. Coast Guard property and contracts.

(b) Examples of records for which requests may properly be made only to the Office of the Commandant, U.S. Coast Guard, include the following:

(1) Central files of merchant seamen.

(2) Merchant vessel shipping articles.

(3) Merchant vessel equipment approvals.

(4) Merchant Marine Council proceedings.

(5) Great Lakes pilotage records.

(6) Central files of U.S. Coast Guard personnel.

(7) U.S. Coast Guard courts-martial records.

(8) U.S. Coast Guard vessel and shore station log books more than one year old on January 1 of the year in which the request is made.

(c) Examples of records for which requests may properly be made only to the appropriate District Commander include the following:

(1) Navigation and vessel inspection penalty action records.

(2) Search and rescue reports.

(3) Coast Guard vessel and shore station log books for the current calendar year and the calendar year immediately proceeding the current year.

(4) Port safety and waterfront facility records.

(5) Aids to navigation records.

(6) Merchant vessel logbooks.

(7) Shipyard and factory inspectin records.

5. *Officials having initial authority to deny requests.* The following officials have authority to make initial determinations to deny requests for records:

(a) Field commanders.

(1) Commander, Atlantic Area.

(2) Commander, Pacific Area.

(3) Commander, First Coast Guard District.

(4) Commander, Second Coast Guard District.

(5) Commander, Fifth Coast Guard District.

(6) Commander, Seventh Coast Guard District.

(7) Commander, Eighth Coast Guard District.

(8) Commander, Ninth Coast Guard District.

(9) Commander, Eleventh Coast Guard District.

(10) Commander, Thirteenth Coast Guard District.

(11) Commander, Fourteenth Coast Guard District.

(12) Commander, Seventeenth Coast Guard District.

(13) Commander, Maintenance and Logistics Command Atlantic.

(14) Commander, Maintenance and Logistics Command Pacific.

(15) Superintendent, U.S. Coast Guard Academy.

(16) Commanding Officer, Coast Guard Yard.

(17) Commanding Officer, Coast Guard Training Center Cape May.

(18) Commanding Officer, Coast Guard Reserve Training Center.

(19) Commanding Officer, Coast Guard Pay and Personnel Center.

(b) Headquarters officials concerning records within their office.

(1) Chief, Plans and Evaluation Division (for records located within the office of the Commandant, Chief of Staff, special staff divisions or when a request involves records located in two or more offices).

(2) Chief, Office of Acquisition.

(3) Chief, Office of Boating, Public and Consumer Affairs.

(4) Chief, Office of Comptroller.

(5) Chief, Office of Civil Rights.

(6) Chief, Office of Health Services.

(7) Chief, General Law Division (for records in the office of the Chief Counsel).

(8) Chief, Office of Marine Safety, Security and Environmental Protection.

(9) Chief, Office of Navigation.

(10) Chief, Office of Operations.

(11) Chief, Office of Personnel.

(12) Chief, Office of Readiness and Reserve.

(13) Chief, Office of Command, Control and Communications.

6. *Reconsideration of determinations not to disclose records and to deny fee waivers.* Any person who has been notified that a record or part of a record that has been requested will not be disclosed, or that a request for the waiver or reduction of a processing fee has been denied, may apply, in writing, to the Commandant (G–CMA), U.S. Coast Guard for reconsideration of that determination. The decision of the Commandant or his or her designee is administratively final.

Appendix C—Federal Aviation Administration

1. *General.* This appendix describes the document inspection facilities of the Federal Aviation Administration (FAA), the kinds of records that are available for public inspection and copying at those facilities, and the procedures by which members of the public may make requests for identifiable records.

2. *Document inspection facilities.* Document inspection facilities are maintained at FAA Headquarters, each FAA regional office, the Aeronautical Center, and the FAA Technical Center. The document inspection facility for the European Office is located at FAA Headquarters. These facilities are open to the public during local times specified inthe following listings. The States within the jurisdictional area of each FAA Regional Office are also listed in parentheses.

FAA Headquarters, 800 Independence Avenue SW., Washington, D.C. 20591. 8:30 a.m.–5:00 p.m. e.t.

Alaska Region, 701 C Street, Box 14, Anchorage, AK 99513. 7:30 a.m.–4:00 p.m. Alaska Time (Alaska).

Central Region, 601 East 12th Street, Kansas City, Missouri 64106. 7:30 a.m.–4:00 p.m. c.t. (Iowa, Kansas, Missouri, and Nebraska).

Eastern Region, Fitzgerald Federal Bldg., JFK International Airport, Jamaica, NY 11430. 8:00 a.m.–4:30 p.m. e.t. (District of Columbia, Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and West Virginia).

Great Lakes Region, O'Hare Lake Office Center, 2300 East Devon Street, Des Plaines, Ill. 60018. 7:30–4:00 p.m. c.t. (Illinois, Indiana, Michigan, Minnesota, North Dakota, Ohio, South Dakota, and Wisconsin).

New England Region, 12 New England Executive Park, Burlington, MA (Mailing Address: Post Office Box 510, Burlington, MA 01803). 8:00 a.m.–4:30 p.m. e.t. (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont).

Northwest Mountain Region, 17900 Pacific Highway South, C–68966, Seattle, WA 98168. 7:30 a.m.–4:00 p.m. p.t. (Colorado, Idaho, Montana, Oregon, Utah, Washington, and Wyoming)

Southern Region, 3400 Norman Berry Drive, East Point, GA (Mailing Address: Post Office Box 20636, Atlanta, GA 30320). 8:00 a.m.–4:30 p.m. e.t. (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico and Virgin Islands).

Southwest Region, 4400 Blue Mound Road, Fort Worth, TX (Mailing Address: Post Office Box 1689, Fort Worth, TX 76101). 8:00 a.m.–4:30 p.m. c.t. (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas).

Western Pacific Region, 15000 Aviation Boulevard, Hawthorne, CA (Mailing Address: Post Office Box 92007, World-Way Postal Center, Los Angeles, CA 90009). 7:30 a.m.–4:00 a.m. p.t. (Arizona, California, Hawaii, and Nevada).

Mike Monroney Aeronautical Center, 6500 South MacArthur Boulevard (Mailing

Address: Post Office Box 25082), Oklahoma City, OK 73125. 8:00 a.m.–4:30 p.m. c.t.

FAA Technical Center, Atlantic City Airport, Atlantic City, NJ 08405. 8:00 a.m.–4:30 p.m. e.t.

3. Records available at document inspection facilities.

(a) The following records under Subpart E of this part are available at FAA document inspection facilities:

(1) Final opinions and order made in the adjudication of cases by the Administrator, FAA, or his/her designee.

(2) Policies and interpretations, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation. All such policies and interpretations made by the Administrator, Deputy Administrator, Associate Administrators, directors, and heads of offices are available at the FAA Headquarters document inspection facility; only those policies and interpretations made by the Administrator, Deputy Administrator, and the regional or center director concerned are available at regional and center document inspection facilities.

(3) Any administrative staff manual or instruction to staff that affects any member of the public, including the prescribing of any standard, procedure, or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public. Such documents are available at the inspection facility of the organizational unit which has issued them.

(b) An index of the records located at each document inspection facility is maintained at that facility.

(c) The records and the index may be inspected, without charge, at the facility. Copies of records may be obtained upon payment of the fee prescribed in Subpart I of this part.

4. *Requests for reasonably described records under Subpart F of this part.* Each person desiring to inspect a record, or to obtain a copy thereof, should submit a request in writing to the Assistant Administrator for Public Affairs, FAA Headquarters, or the director of the region or center in which it is located. The addresses of FAA Headquarters and the Regions and Centers are listed in paragraph 2 of this Appendix. If the location of the record is not known, the request may be submitted to the Assistant Administrator for Public Affairs, FAA Headquarters. The following list gives illustrations of types of records and where they might be located:

(a) Records pertaining to the issue, amendment, suspension or revocation of certificates, permits, authorizations, and approvals, such as:

(1) Airman certificates and ratings for pilots, flight instructors, flight navigators, flight engineers, aircraft dispatchers, mechanics, repairmen, air traffic control operators, and parachute riggers and ground instructor certificates are maintained at the Mike Monroney Aeronautical Center.

(2) Aircraft registration certificates and airworthiness certificates are maintained at the Aeronautical Center.

(3) Aircraft type certificates and production certificates are maintained at the regional office within which the issuance was made.

(4) Ferry permits and special flight authorizations are maintained at the district office of the region within which the issuance was made.

(5) Air carrier operating certificates, commercial operator certificates, agricultural aircraft operator certificates, repair station certificates, parachute loft certificates, pilot school certificates, and mechanic school certificates are maintained at the district office of the region within which the certification was taken.

(b) Records of designations of representatives of the Administrator are located at FAA Headquarters.

(c) Records relating to Federal-aid airport grants are located at the regional office within which the grant was made.

(d) Records of approvals of navigational facilities under Federal Aviation Regulations (FAR) Part 171 are located at the regional office within which the approval was issued.

(e) Records relating to civil penalty actions and seizure of aircraft are located at the regional office within which the action was taken.

5. *Reconsideration of determinations not to disclose records and to deny fee waivers.* Any person who is denied a fee waiver or reduction, or who has been notified that a record that has been requested will not be disclosed, may apply, in writing, to the Assistant Administrator for Public Affairs, FAA Headquarters, for reconsideration of that request. Application for reconsideration must be made within 30 days from receipt of denial, and must follow the procedures and requirements set forth in Subpart H. For all purposes, including that of judicial review, the decision of the Assistant Administrator for Public Affairs is administratively final.

Appendix D—Federal Highway Administration

1. *General.* This apendix describes the location and hours of operation of the document inspection facilities of the Federal Highway Administration (FHWA); the kinds of records that are available for public inspection and copying at these facilities; and the procedures by which members of the public may make requests for records.

2. *Document inspection facilities.* Document inspection facilities are maintained at the Federal Highway Administration Headquarters, each regional office, and each division office. These facilities are open to the public during regular working hours, which are included parenthetically after each address below. Written requests for information should be sent to the appropriate office and the envelope in which the request is sent must be prominently marked with the letters "FOIA."

Washington Headquarters

FOIA Program Officer (HMS–10), Federal Highway Administration, 400 Seventh Street, SW., Room 4428, Washington, DC 20590. 7:45 a.m.–4:15 p.m. e.t.

Regional Offices

Regional Federal Highway Administrator, Region 1, Federal Highway Administration, Clinton Avenue and North Pearl Street, Room 719, Albany, NY 12207. 7:30 a.m.–4:00 p.m. e.t. (New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, Puerto Rico, Virgin Islands)

Regional Federal Highway Administrator, Region 3, Federal Highway Administration, 31 Hopkins Plaza, Room 1633, Baltimore, MD 21201. 7:45 a.m.–4:15 p.m. e.t. (Maryland, Virginia, Delaware, District of Columbia, Pennsylvania, West Virginia)

Regional Federal Highway Administrator, Region 4, Federal Administration, 1720 Peachtree Road, N.W., Suite 200, Atlanta, GA 30367. 7:45 a.m.–4:15 p.m. e.t. (Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, North Carolina, South Carolina)

Regional Federal Highway Administrator, Region 5, Federal Highway Administration, 18209 Dixie Highway, Homewood, IL 60430–2294. 7:30 a.m.–4:15 p.m. c.t. (Illinois, Indiana, Ohio, Michigan, Wisconsin, Minnesota)

Regional Federal Highway Administrator, Region 6, Federal Highway Administration, 819 Taylor Street, Fort Worth, TX 76102. 8:00 a.m.–4:30 p.m. c.t. (Texas, Louisiana, Arkansas, Oklahoma, New Mexico)

Regional Federal Highway Administrator, Region 7, Federal Highway Administration, 6301 Rockhill Road, P.O. Box 419715, Kansas City, MO 64141. 7:30 a.m.–4:15 p.m. c.t. (Missouri, Iowa, Kansas, Nebraska)

Regional Federal Highway Administrator, Region 8, Federal Highway Administration, 555 Zang Street, Room 400, Lakewood, CO 80228. 7:45 a.m.–4:15 p.m. m.t. (Colorado, Utah, Wyoming, Montana, North Dakota, South Dakota)

Regional Federal Highway Administrator, Region 9, Federal Highway Administration, 211 Main Street, Room 1100, San Francisco, CA 94105. 7:45 a.m.–4:15 p.m. p.t. (California, Arizona, Nevada, Hawaii, American Samoa, Guam)

Regional Federal Highway Administrator, Region 10, Federal Highway Administration, Mohawk Building, Room 312, 708 SW Third Street, Portland, OR 97204. 7:00 a.m.–5:00 p.m. p.t. (Oregon, Idaho, Washington, Alaska)

Division Offices

Alabama, 441 High Street, Montgomery, AL 36104–4684. 7:45 a.m.–4:30 p.m. c.t.

Alaska, Federal Building, 709 West Ninth Street, RH851, P.O. Box 21648, Juneau, AK 99802–1648. 7:30 a.m.–5:00 p.m. Alaska Time.

Arizona, 3500 North Central Avenue, Suite 201, Phoenix, AZ 85012. 8:00 a.m.–4:30 p.m. m.t.

Arkansas, Room 3128, Federal Office Building, 700 West Capitol Avenue, Little Rock, AR 72201–3298. 7:45 a.m.–4:30 p.m. c.t.

California, Federal Building, Second Floor, 801 I Street, Sacramento, CA 95814. 7:45 a.m.–4:30 p.m. p.t.

Colorado, 555 Zang Street, Room 250, Lakewood, CO 80228. 7:45 a.m.–4:15 p.m. m.t.

Connecticut, Abraham A. Ribicoff Federal Building, 450 Main Street, Room 635, Hartford, CT 06103. 7:30 a.m.–4:00 p.m. e.t.
Delaware, Federal Office Building, Room 2102, 300 South New Street, Dover, DE 19901–6726. 7:45 a.m.–4:15 p.m. e.t.
District of Columbia, Nassif Building, Room 6320, 400 Seventh Street, SW., Washington, DC 20590. 7:30 a.m.–4:00 p.m. e.t
Florida, 227 North Bronough Street, Room 2015, Tallahassee, FL 32301. 7:30 a.m.–4:00 p.m. e.t.
Georgia, Suite 300, 1720 Peachtree Road, NW., Atlanta, GA 30367. 7:00 a.m.–4:00 p.m. e.t.
Hawaii, Prince Jonah Kuhio Kalanianaole Federal Building, 300 Alu Moana Boulevard, Room 3203, Honolulu, HI 96850. (Duty Hours) 7:30 a.m.–4:00 p.m. h.s.t.
Idaho, 3010 W. State Street, Boise, ID 83703. 7:30 a.m.–4:30 p.m. m.t.
Illinois, 320 West Washington Street, Room 700, Springfield, IL 62701. 7:30 a.m.–4:15 p.m. c.t.
Indiana, 757 N. Pennsylvania Street, Room 254, Indianapolis, IN 46204. 7:30 a.m.–4:00 p.m. e.s.t.
Iowa, 105 Sixth Street, Ames, IA 50010. 7:45 a.m.–4:30 p.m. c.t.
Kansas, 444 SE Quincy Street, Room 240, Topeka, KA 66683. 7:45 a.m.–4:15 p.m. c.t.
Kentucky, John C. Watts Federal Building and U.S. Courthouse, 330 West Broadway, Frankfort, KY 40602. 8:00 a.m.–4:45 p.m. e.t.
Louisiana, Federal Building, Room 239, 750 Florida Street, Baton Rouge, LA 70801. 7:30 a.m.–4:00 a.m. c.t.
Maine, Edmund S. Muskie Federal Building, U.S. Post Office, Room 614, 40 Western Avenue, Augusta, ME 04330. 7:30 a.m.–4:00 p.m. e.t.
Maryland, The Rotunda, Suite 220, 711 West 40th Street, Baltimore, MD 21211. 7:45 a.m.–4:15 p.m. e.t.
Massachusetts, Transportation Systems Center, 55 Broadway, 10th Floor, Cambridge, MA 02142. 7:45 a.m.–4:15 p.m. e.t.
Michigan, Federal Building, 315 West Allegan Street, P.O. Box 10147, Room 211, Lansing, MI 48901. 8:00 a.m.–4:45 p.m. e.t.
Minnesota, Metro Square Building, Suite 490, Seventh & Robert Streets, St. Paul, MN 55101. 7:30 a.m.–4:00 p.m. c.t.
Mississippi, 666 North Street, Suite 105, Jackson, MS 39202. 7:45 a.m.–4:15 p.m. c.t.
Missouri, 209 Adams Street, Jefferson City, MO 65102. 7:45 a.m.–4:15 p.m. c.t.
Montana, Federal Office Building, 301 South Park, Drawer 10056, Helena, MT 59626–0056. 7:30 a.m.–4:00 p.m. m.t.
Nebraska, Federal Building, Room 487, 100 Centennial Mall North, Lincoln, NE 68508. 7:45 a.m.–4:15 p.m. c.t.
Nevada, 1535 Hot Springs Road, Suite 100, Carson City, NV 89701–0602. 7:45 a.m.–4:30 p.m. p.t.
New Hampshire, Federal Building, 55 Pleasant Street, Room 219, Concord, NH 03301. 7:30 a.m.–4:00 p.m. e.s.t.
New Jersey, Suburban Square Building, 25 Scotch Road, Second Floor, Trenton, NJ 08628–2595. 8:00 a.m.–4:30 p.m. e.t.
New Mexico, 117 U.S. Court House, Post Office Box 1088, Santa Fe, NM 87504. 7:30 a.m.–4:00 p.m. m.t.
New York, Leo W. O'Brien Federal Building, Ninth Floor, Clinton Avenue and North Pearl Street, Albany, NY 12207. 7:30 a.m.–4:00 p.m. e.t.
North Carolina, 310 New Bern Avenue, P.O. Box 26806, Raleigh, NC 27611. 7:45 a.m.–4:15 p.m. e.t.
North Dakota, Federal Building, P.O. Box 1755, Bismarck, ND 58502. 7:45 a.m. – 4:30 p.m. c.t.
Ohio, 200 North High Street, Room 328, Columbus, OH 43215 7:30 a.m. – 4:15 p.m. e.t.
Oklahoma, Federal Office Building, Room 454, 200 NW. Fifth Street, Oklahoma City, OK 73102. 8:00 a.m. – 4:30 p.m. c.t.
Oregon, The Equitable Center, Suite 100, 530 Center Street, NE., Salem, OR 97301. 7:45 a.m. – 4:30 p.m. p.t.
Pennsylvania, 228 Walnut Street, Harrisburg, PA 17108. 8:00 a.m. – 4:30 p.m. e.t.
Puerto Rico, Office Number 150, U.S. Courthouse and Federal Building, Carlos Chardon Street, Hato Rey, PR 00918. 7:30 a.m. – 4:00 p.m. a.s.t.
Rhode Island, 380 Westminster Mall, Fifth Floor, Providence, RI 02903. 7:45 a.m. – 4.15 p.m. e.t.
South Carolina, Strom Thurmond Federal Building, 1835 Assembly Street, Suite 758, Columbia, SC 29201. 8:15 a.m. – 4:45 p.m. e.t.
South Dakota, P.O. Box 700, Federal Office Building, Pierre, SD 57501. 8:00 a.m. – 4:30 p.m. c.t.
Tennessee, Federal Building, U.S. Courthouse, 801 Broadway, Room A–926, Nashville, TN 37203. 8:00 a.m. – 4:30 p.m. c.t.
Texas, Room 826, Federal Office Building, 300 East Eighth Street, Austin, TX 78701. 7:30 a.m. – 4:15 p.m. c.t.
Utah, Federal Building, 124 South State Street, Salt Lake City, UT 84111. 7:45 a.m. – 4:30 p.m. m.t.
Vermont, Federal Building, Montpelier, VT 05602. 7:30 a.m. – 4:00 p.m. e.t.
Virgina, Federal Building, Tenth Floor, 400 North Eighth Street, Richmond, VA 23240. 7:45 a.m. – 4:15 p.m. e.t.
Virgin Islands, U.S. Federal Building and Courthouse, Room 281, Charlotte Amalie, St. Thomas, Virgin Islands 00801. 8:30–12:30 a.s.t.
Washington, Evergreen Plaza, 711 South Capitol Way, Suite 501, Olympia WA 98501. 7:30 a.m. – 4:30 p.m. p.t.
West Virginia, 550 Eagan Street, Suite 300, Charleston, WV 25301. 8:00 a.m. – 4:30 p.m. e.t.
Wisconsin, 4502 Vernon Boulevard, Madison, WI 53705–4905. 7:30 a.m. – 4:15 p.m. c.t.
Wyoming, 916 Evans Avenue, P.O. Box 1127, Cheyenne, WY 82003. 7:45 a.m. – 4:30 p.m. m.t.

Direct Federal Divisions

Division Engineer, Eastern Direct Federal Division, 1000 North Glebe Road, Arlington, VA 22201. 7:45 a.m. – 4:15 p.m. e.t.
Division Engineer, Central Direct Federal Division, 555 Zang Street, P.O. Box 25246, Denver, CO 80225. 7:45 a.m. – 4:15 p.m. m.t.
Division Engineer, Western Direct Federal Division, 610 East Fifth Street, Vancouver, WA 98661. 8:00 a.m. – 4:30 p.m. p.t.

3. *Records available through document inspection facilities.*

(a) The following records are available through the FHWA Headquarters document inspection facility:

(1) Final opinions (including concurring and dissenting opinions, if any) and orders made in the adjudication of cases and issued by the Federal Highway Administration;

(2) Any policy or interpretation issued by the Federal Highway Administration, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.

(b) The following records are available through all Federal Highway Administration document inspection facilities:

(1) *FHWA orders.* These orders are issued by the Federal Highway Administration and used primarily to promulgate internal policy, instructions, and general guidance.

(2) *FHWA notices.* These notices are issued by the Federal Highway Administration and contain short term instructions or information which is expected to remain in effect for a predetermined period of time normally not to exceed one year.

(3) *FHWA bulletins.* These bulletins are issued by the Federal Highway Administration and are used to promulgate one time announcements or transmit reports, publications, and other similar material.

(4) *FHWA/NHTSA orders.* These are orders issued jointly by the Federal Highway Administration and the National Highway Traffic Safety Administration and contain policies, procedures, and information pertaining to the joint administration of the State and Community Highway Safety Programs.

(5) *Technical advisories.* These contain permanent or long-lasting detailed techniques or technical material that is advisory in nature.

(6) *FHWA manuals.* These manuals are issued by the Federal Highway Administration and contain detailed procedures relating to policies and program responsibilities. They include the following:

(i) Federal-Aid Highway Program Manual. This Manual contains policies, procedures, standards, and guides relating to the administration of the Federal Aid Highway Program and the Direct Federal Construction Program.

(ii) Administrative Manual. (Internal FHWA)

(iii) Labor Compliance Manual.

(iv) Civil Rights-Equal Opportunity Manual.

(v) Highway Planning Program Manual (Vol. 1).

(vi) Motor Carrier Safety Operations Manual.

(vii) Highway Safety Program Manual.

(viii) Manual on Uniform Traffic Control Devices.

(ix) Right of Way Operations Manual.

(x) FP–79 Construction Manual.

These Manuals contain details of compliance programs, accident investigations, enforcement programs, and interpretations.

(7) *Highway Safety Standards.* These highway related standards, issued by the Federal Highway Administration, apply to the aspect of State highway safety programs for which responsibility resides in the Federal Highway Administration under the Highway Safety Act of 1966 and delegations of authority by the Secretary of Transportation.

(8) Motor Carrier Safety Administrative Rulings.

(9) Motor Carrier Safety Waivers From Regulations.

(10) Indices for the above records.

4. *Requests for records under Subpart F of this part.* Each person desiring to inspect a record, or to obtain a copy thereof, should submit a request, in writing to the Federal Highway Administration FOIA Program Office at the address listed in paragraph 2 above. Each request is subject to the appropriate fee prescribed in Subpart I of this part.

5. *Determinations not to disclose records.* The FOIA Program Officer in Washington Headquarters is the only official authorized to deny requests for the disclosure of records for any Federal Highway Administration element, both headquarters and field.

6. *Reconsideration of determinations not to disclose records and to deny fee waivers.* Any person who had been notified that a record or any part of a record that has been requested will not be disclosed, and any person who has been denied a fee waiver or reduction, may apply, in writing, to the Associate Administrator for Administration, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590 for reconsideration of the request. The decision of the Associate Administrator for Administration is administratively final.

Appendix E—Federal Railroad Administration

1. *General.* This appendix describes the document inspection facility of the Federal Railroad Administration, the kinds of records that are available for public inspection and copying at that facility, and the procedures by which members of the public may make requests for identifiable records.

2. *Document inspection facility.* The document inspection facility is maintained by the Executive Director of the Federal Railroad Administration, Room 8212, 400 Seventh Street, SW., Washington, DC 20590. This facility is open to the public 8:30 a.m. to 5:00 p.m. e.t. Monday through Friday, except for legal public holidays and other special closings.

3. *Records available at the document inspection facility.* The following records are maintained at the document inspection facility:

(a) Any material issued by the Federal Railroad Administration and published in the **Federal Register**, including regulations.

(b) Final opinions (including concurring and dissenting opinions, if any) and orders made in the adjudication of cases and issued by the Federal Railroad Administration. Included are opinions and orders issued under the Safety Appliance Act, Hours of Service Act, Locomotive Inspection Act, Accident Reports Act, and the Federal Railroad Safety Act of 1970.

(c) Any policy or interpretation issued within the Federal Railroad Administration, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.

(d) Subject to § 7.41(a)(3) of this part, any administrative staff manual or instruction to staff, issued by the Federal Railroad Administration, that affects any member of the public, including the prescribing of any standard, procedure, or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public.

(e) Public notice of pending administrative actions.

(f) Office of Safety Annual Report.

(g) Accident/Incident Bulletin.

(h) Rail-Highway Grade-Crossing Bulletin.

(i) Summary of accidents investigated by the Federal Railroad Administration.

(j) Certain railroad employee fatalities investigated by the Federal Railroad Administration.

(k) Subject to § 7.69 of this part, documents related to loans, loan guarantees, or grant programs conducted by the Federal Railroad Administration.

(l) An index to the material described in (a) through (d). The records and the index may be inspected at the facility without charge. Copies of records may be obtained upon payment of fees prescribed in Subpart I of this part.

4. *Requests for identifiable records under Subpart F of this part.* Each person desiring to inspect a record, or to obtain a copy thereof, should submit a request in writing to the Executive Director, Federal Railroad Administration, Room 8212, 400 Seventh Street, SW., Washington, DC 20590. Each request should be accompanied by a signed authorization to conduct the search and agreement to pay any costs incurred. Requester will be notified when it is estimated that the fee will likely exceed $25. Prepayment may be required before delivery is made.

5. *Reconsideration of determination not to disclose records and to deny fee waivers.* Any person who has been given a determination that the records that have been requested will not be disclosed, and any person who has been denied a fee waiver or reduction, may apply, in writing, to the Federal Railroad Administrator, 400 Seventh Street, SW., Washington, DC 20590, for reconsideration of the request. For all purposes, including that of judicial review, the decision of the Administrator is administratively final.

Appendix F—National Highway Traffic Safety Administration

1. *General.* This appendix describes the document inspection facilities of the National Highway Traffic Safety Administration (NHTSA), the kinds of records that are available for inspection and copying at these facilities, and the procedures by which members of the public may make requests for identifiable records.

2. *Document inspection facilities.* Document inspection facilities are maintained for NHTSA Headquarters and each NHTSA regional office. Unless otherwise noted, these facilities, which are located at the following addresses, are open to the public from 7:45 a.m. to 4:15 p.m. local time, Monday through Friday, except Federal holidays and other special closings.

Washington Headquarters

National Highway Traffic Safety Administration, Technical Reference Division, Room 5108, 400 Seventh Street, SW., Washington, DC 20590. Hours of operation are 8:00 a.m. to 4:00 p.m. e.t.

National Highway Traffic Safety Administration, Technical Reference Division, Docket Section Room 5109, 400 Seventh Street, SW., Washington, DC 20590. (Material covered by paragraph 3(a)(8) of this Appendix only). Hours of operation are 8:00 a.m. to 4:00 p.m. e.t.

National Highway Traffic Safety Administration, Office of Management and Data Systems (OMDS), Room 5238, 400 Seventh Street, SW., Washington, DC 20590. (Material covered by paragraphs 3(a)(9) and (10) of this Appendix only). Hours of operation are 8:00 a.m. to 4:00 p.m. e.t.

Regional Offices

Region I—Regional Administrator, NHTSA, Transportation Systems Center, Kendall Square, Code 903, Cambridge, MA 02142. (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont)

Region II—Regional Administrator, NHTSA, 222 Mamaroneck Avenue, Suite 204, White Plains, New York 10605. (New York, New Jersey, Puerto Rico, and Virgin Islands)

Region III—Regional Administrator, NHTSA, Airport Plaza Building, 793 Elkridge Landing Road, Room D–203, Linthicum, MD 21090. Hours of operation are 8:00 a.m. to 4:30 p.m. e.t. (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia)

Region IV—Regional Administrator, NHTSA, Suite 501, 1720 Peachtree Road, NW., Atlanta, GA 30309. (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee)

Region V—Regional Administrator, NHTSA, 18209 Dixie Highway, Homewood, IL 60430. Hours of operation are 8:00 a.m. to 4:30 p.m. c.t. (Illinois, Indiana, Michigan, Ohio, Minnesota and Wisconsin)

Region VI—Regional Administrator, NHTSA, Room 8A38, 819 Taylor Street, Fort Worth, TX 76102. Hours of operation are 8:00 a.m. to 4:30 p.m. c.t. (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas)

Region VII—Regional Administrator, NHTSA, P.O. Box 412515, Kansas City, MO 64141. (Iowa, Kansas, Missouri, and Nebraska)

Region VIII—Regional Administrator, NHTSA, 555 Zang Street, Fourth Floor, Denver, CO 80228. (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming)

Region IX—Regional Administrator, NHTSA, 211 Main Street, Suite 1000, San Francisco, CA 94105. (American Samoa, Arizona, California, Guam, Hawaii, and Nevada)

Region X—Regional Administrator, NHTSA, 3140 Jackson Federal Building, Seattle, Washington 98174. Hours of operation are 8:00 a.m. to 4:30 p.m. p.t. (Alaska, Idaho, Oregon, and Washington)

3. *Records available at document inspection facilities.*

(a) Certain documents not in the custody of the document inspection facility (for example, current defect investigations) may be reviewed there, but only if they are requested in advance. The following records are available at the NHTSA Headquarters document inspection facility:

(1) Final opinions and orders made in the adjudication of cases and issued by the National Highway Traffic Safety Administration.

(2) NHTSA test reports that assess manufacturer's compliance with Federal Motor Vehicle Safety Standards.

(3) Investigative reports concerning compliance with standards and possible safety-related defects.

(4) Summaries and detailed reports of motor vehicle recall campaigns.

(5) Consumers' complaint letters regarding motor vehicles.

(6) Contractors' technical reports documenting the results of research performed for NHTSA pursuant to contract.

(7) Multidisciplinary case studies on the causes of selected motor vehicle accidents.

(8) Rulemaking actions including comments and informal interpretations and opinions concerning provisions of the National Traffic and Motor Vehicle Safety Act of 1966, the Motor Vehicle Information and Cost Savings Act and the Highway Safety Act and regulations and standards issued thereunder which have been given to members of the public by National Highway Traffic Safety Administration officials.

(9) *NHTSA orders.* These orders are issued by the National Highway Traffic Safety Administration and contain policy, instructions, and general procedures.

(10) *NHTSA notices.* These notices are issued by the National Highway Traffic Safety Administration and transmit one-time or short-term announcements or temporary directives (1 year or less).

(b) The following records are available at all NHTSA document inspection facilities:

(1) *Motor vehicle safety standards.* These standards, issued by the National Highway Traffic Safety Administration, apply to new motor vehicles and equipment thereon.

(2) *Highway safety standards.* These standards, issued by the National Highway Traffic Safety Administration, apply to State highway safety programs.

(3) *State highway programs.* Reports on State highway programs presenting the proposed implementation of Federal Highway Standards on an annual and long-range basis. These reports are available at the NHTSA Headquarters document inspection facility and the appropriate Regional Administrator's Office.

4. *Requests for records under Subpart F of this part.* Persons wishing to inspect a record, or to obtain a copy thereof, should submit a request in writing to the NHTSA facility in which such record is located. If the records are located at Washington Headquarters, requests should be sent to Director, Executive Secretariat, NHTSA, Room 5221, 400 Seventh Street, SW., Washington, DC 20590. If the records are located in a regional office, requests should be sent to the appropriate inspection facility.

5. *Reconsideration of determinations not to disclose records and to deny fee waivers.* Any person to whom a record is not made available within a reasonable time after a request, any person who has been notified that a record which has been requested will not be disclosed, and any person who has been denied a fee waiver or reduction, may apply, in writing, to the Associate Administrator for Administration, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590, for reconsideration of the request. The decision of the Associate Administrator for Administration is administratively final.

6. The fee for a search for a record or records identified by class or subject is pursuant to § 7.95 of this part.

Appendix G—Urban Mass Transportation Administration

1. *General.* This appendix describes the document inspection facilities of the Urban Mass Transportation Administration (UMTA), the kind of records that are available for public inspection and copying at these facilities, and the procedures by which members of the public may make requests for identifiable records.

2. *Document inspection facilities.* Document inspection facilities are maintained at the Urban Mass Transportation Administration Headquarters and each UMTA regional office. These facilities are open to the public at the prescribed times and locations:

Washington Headquarters

Urban Mass Transportation Administration, Office of Public Affairs, Room 9314, 400 Seventh Street, SW., Washington, DC 20590. (Working hours—8:30 a.m.–5:00 p.m. e.t.).

Regional Offices

Region I—Regional Administrator, UMTA, Transportation Systems Center, Kendall Square, 55 Broadway, Suite 920, Cambridge, MA 02142. 8:30 a.m.–5:00 p.m. e.t. (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont).

Region II—Regional Administrator, UMTA, 26 Federal Plaza, Suite 14–110, New York, NY 10278. 8:30 a.m.–5:00 p.m. e.t. (New Jersey and New York)

Region III—Regional Administrator, UMTA, 841 Chestnut Street, Suite 714, Philadelphia, PA 19107. 8:00 a.m.–5:00 p.m. e.t. (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia)

Region IV—Regional Administrator, UMTA, 1720 Peachtree Road, NW., Suite 400, Altanta, GA 30309. 8:30 a.m.–5:00 p.m. e.t. (Alabama, Flordia, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee)

Region V—Regional Administrator, UMTA, 300 S. Wacker Drive, Suite 1720, Chicago, IL 60606. 8:30 a.m–5:00 p.m. c.t. (Illinois, Indiana, Michigan, Ohio, and Wisconsin)

Region VI—Regional Administrator, UMTA, 819 Taylor Street, Suite 9A32, Ft. Worth, TX 76102. 8:00 a.m.–5:00 p.m. c.t. (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas)

Region VII—Regional Administrator, UMTA, 6301 Rockhill Road, Suite 100, Kansas City, MO 64131. 8:00 a.m.–5:00 p.m. c.t. (Iowa, Kanasa, Missouri, and Nebraska)

Region VIII—Regional Administrator, UMTA, 1050 17th Street, Suite 1822 Prudential Plaza, Denver, CO 80265. 8:30 a.m.–5:00 p.m. m.t. (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming)

Region IX—Regional Administrator, UMTA, 211 Main Street, Room 1160, San Francisco, CA 94105. 8:30 a.m.–5:00 p.m. p.t. (Nevada, California, Arizona, Hawaii, and Guam)

Region X—Regional Administrator, UMTA, 915 Second Avenue, Suite 3142, Seattle, WA 98174. 8:00 a.m.–4:30 p.m. p.t. (Alaska, Idaho, Oregon, and Washington)

3. *Records available at the document inspection facilities.* The following records are located at the document inspection facilities:

(a) Final opinions (including concurring or dissenting opinions) and orders made in the adjudication of cases and issued by the Office of the Secretary.

(b) Any policy or interpretation issued by the Urban Mass Transportation Administration, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.

(c) Any administrative staff manual or instruction to staff, issued by the Urban Mass Transportation Administration that affects any member of the public, including the prescribing of any standard, procedure, or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public.

(d) An index to, and copies of, the internal and external directives of the Urban Mass Transportation Administration. The records and the index may be inspected without charge. Copies of records may be obtained upon payment of the fee prescribed in Subpart I of this part.

(e) Any proposed or final regulation issued by the Urban Mass Transporation Administration and any docket materials regarding these regulations. Public dockets for rulemakings are kept by the Docket Clerk, Room 9223, and are available for public inspection and copying.

4. *Requests for identifiable records under Subpart F of this part.* Each person desiring to inspect a record or to obtain a copy thereof, should submit the request in writing to the Director of Public Affairs, Urban Mass Transporation Administration, Room 9314, Department of Transportation Building (Nassif Building), 400 Seventh Street, SW., Washington, DC 20590. Each request should be accompanied by a signed authorization to conduct the search and agreement to pay any costs incurred, as provided in 49 CFR Part 7. The requester may stipulate a maximum fee

which he or she will pay. Prepayment may be required if authorized by 49 CFR Part 7.

5. *Reconsideration of determinations not to disclose records and to deny fee waivers.* Any person who has been notified that a record requested by that person will not be disclosed, and any person who has been denied a fee waiver or reduction, may apply, in writing, to the Executive Director, Urban Mass Transporation Administration, Room 9328 of the Department of Transportation Building (Nassif Building), 400 Seventh Street, SW., Washington, DC 20590, for reconsideration of the request. The decision of the Executive Director is administratively final.

Appendix H—Saint Lawrence Seaway Development Corporation

1. *General.* This appendix describes the document inspection facility of the Saint Lawrence Seaway Development Corporation, the kinds of records that are available for public inspection and copying at that facility, and the procedures by which members of the public may make requests for identifiable records.

2. *Document inspection facility.* The document inspection facility of the Saint Lawrence Seaway Development Corporation is maintained at its operations headquarters building in Massena, New York. This facility is open to the public during regular working hours (8:00 a.m. to 4:30 p.m. e.t.).

3. *Records available at the document inspection facility.* The following records are maintained at the document inspection facility:

(a) Final opinions (including concurring and dissenting opinions, if any) and orders made in the adjudication of cases and issued by the Saint Lawrence Seaway Development Corporation.

(b) Any policy or interpretation issued by the Saint Lawrence Seaway Development Corporation, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.

(c) Any administrative staff manual or instruction to staff, issued by the Saint Lawrence Seaway Development Corporation, that affects any member of the public, including the prescribing of any standard, procedure or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public.

(d) An index to the material described in (a) through (c). The records and the index may be inspected at the facility without charge. Copies of records may be obtained upon payment of fee prescribed in Subpart I of this part.

4. *Requests for identifiable records under Subpart F of this part.* Each person desiring to inspect a record, or to obtain a copy thereof should submit a request in writing to the Comptroller, Office of Finance/Administration, Saint Lawrence Seaway Development Corporation, 180 Andrews Street, Massena, New York 13662.

5. Any person who has been notified that a record will not be disclosed; and any person who has been notified that his or her request for a fee waiver, in whole or in part, cannot be granted, may apply, in writing, to the Administrator, Saint Lawrence Seaway Development Corporation, Post Office Box 44090, Washington, DC 20026–4090, for reconsideration of the request. The decision of the Administrator is administratively final.

Appendix I—Maritime Administration

1. *General.* This appendix describes the location and hours of operation of the document inspection facility of the Maritime Administration (MARAD), the kinds of records that are available for public inspection and copying at the facility, and the procedures by which members of the public may make requests for reasonably described records.

2. *Document inspection facility.* The document inspection facility for MARAD is maintained in Room 7300 of the Department of Transportation Building, 400 Seventh Street, SW., Washington, DC 20590. The facility is open to the public between 9:30 a.m. and 4:30 p.m. eastern time, Monday through Friday, except legal public holidays and other special closings.

3. *Records available at the document inspection facility.* The following records are maintained at the document inspection facility:

(a) Any material issued by MARAD and published in the Federal Register, including regulations, for the most recent five years.

(b) Opinions, decisions, and orders of the Martime Administrator/MARAD and of the Maritime Subsidy Board (including concurrences and dissents, if any).

(c) Any policy or interpretation issued by MARAD, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.

(d) Any administrative staff manual or instruction to staff, issued by MARAD, that affects any member of the public, including the prescribing of any standard, procedure, or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public as described in Subpart E of this part.

(e) An index of the records described in (b) through (d).

4. *Requests for reasonably described records under Subpart F of this part.* Each person desiring to inspect a record, or to obtain a copy thereof, should submit a request in writing to the Freedom of Information Officer, Maritime Administration, Room 7300, 400 Seventh Street, SW., Washington, DC 20590. Each request should be accompanied by a signed authorization to conduct the search and agreement to pay any costs incurred. Prepayment may be required before delivery is made. The requester may stipulate a maximum fee which he or she will pay.

5. The official having authority to make determinations on requests, pursuant to the Freedom of Information Act, is the Freedom of Information Office or an appropriate designee.

6. *Appeal of determination not to disclose records and/or waive fees.* Any person who has been notified that a record or part of a record that has been requested will not be disclosed, or that a request for a fee waiver or reduction cannot be granted, either in whole or in part, may appeal, in writing to the Maritime Administrator, Maritime Administration, Room 7206, 400 Seventh Street, SW., Washington, DC. 20590. The decision of the Maritime Administrator is administratively final.

Appendix J—Research and Special Programs Administration

1. *General.* This appendix describes the document inspection facilities of the Research and Special Programs Administration (RSPA), the kinds of records that are available for inspection and copying at three facilities, and the procedures by which members of the public may make requests for reasonably described records.

2. *Document inspection facilities.* Document inspection facilities are maintained at the RSPA Headquarters Office, the Office of Hazardous Materials Transportation (OHMT), the Office of Pipeline Safety (OPS), the Office of Aviation Information Management (OAIM), and the Transportation Systems Center (TSC) and Cambridge, Massachusetts. These facilities are open to the public from 9:00 a.m. to 4:30 p.m. e.t., Monday through Friday, except Federal holidays, at the following locations:

RSPA Headquarters: Freedom of Information Officer, Research and Special Programs Administration, Room 8400, 400 Seventh Street, SW., Washington, DC 20590.

Office of Hazardous Materials Transportation, DHM–50, Room 8424, 400 Seventh Street, SW., Washington, DC 20590.

Office of Pipeline Safety, DPS–1, Room 8417, 400 Seventh Street, SW., Washington, DC 20590.

Office of Aviation Information Management: Chief of Data Services Branch, Data Requirements and Public Reports Division, Room 4201, 400 Seventh Street, SW., Washington, DC 20590.

Transportation Systems Center: Public Information Officer, Transportation Systems Center, 55 Broadway, Kendall Square, Cambridge, MA 02142.

3. *Records available through document inspection facilities.*

(a) The following records are available through the RSPA Headquarters document inspection facility:

(1) Final opinions (including concurring and dissenting opinions, if any) and orders made in the adjudication of cases and issued by the Research and Special Programs Administration.

(2) Any policy or interpretation issued by the Research and Special Programs Administration, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.

(3) Any administrative staff manual or instruction to staff, issued by the Research and Special Programs Administration, that

affects any member of the public, including the prescribing of any standard, procedure, or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public.

(4) *RSPA orders.* RSPA orders are issued by the Research and Special Programs Administration and are used primarily to promulgate internal RSPA policy, instrucitons, and general guidance.

(5) *RSPA notices.* RSPA notices are issued by the Research and Special Programs Administration and contain short-term instructions or information which is expected to remain in effect for less than 90 days or for a predetermined period of time normally not to exceed one year.

(6) Indices to the material described in (1) through (5).

(b) The following records are available through the Materials Transportation Bureau document inspection facility:

(1) Final opinions (including concurring and dissenting opinions, if any) and orders made in the adjudication of cases and issued by the Materials Transportation Bureau.

(2) Any policy or interpretation issued by the Research and Special Programs Administration, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.

(3) Any administrative staff manual or instruction to staff, issued by the Materials Transportation Bureau, that affects any member of the public including the prescribing of any standard, procedure, or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public.

(4) Indices to the material described in (1) through (3).

(c) The following records are available through the Data Services Branch of the Office of Aviation Information Management's inspection facility:

(1) Air Carrier Forms 41, 183, 217, 251. 291, 296–R, 298C, ICAO Supplemental Reports and ER–586 and Origination and Destination outputs which are maintained as a data base and reference source.

(d) The following records are available through the Transportation Systems Center document inspection facility:

(1) *RSPA orders.* (Described in paragraph (a)(4) above).

(2) *RSPA notices.* (Described in paragraph (a)(5) above).

(3) *TSC orders.* TSC orders are issued by the Transportation Systems Center and are used primarily to promulgate internal TSC policy, instructions, and general guidance.

(4) *TSC notices.* TSC notices are issued by the Transportation Systems Center and contain short-term instructions or information which is expected to remain in effect for less than 90 days or for a predetermined period of time normally not to exceed one year.

(5) Indices to the material described in (1) through (4).

(e) The records and the indexes may be inspected at each facility without charge. A prepayment of fees may be required before copies of records may be obtained, as described in Subpart I this part.

4. *Requests for records under Subpart F of this part.* Each person desiring to inspect a record, or to obtain a copy thereof, should submit a request in writing to the appropriate RSPA document inspection facility as identified in paragraph 2 of this Appendix. Should that facility not have custody of the record, it will forward the request to the appropriate office. If the location of the record is not known, the request should be submitted to the Freedom of Information Officer, RSPA Headquarters, and that official will forward the request to the appropriate office. Each request should be accompanied by a signed authorization to conduct the search and agreement to pay any costs incurred. Prepayment may be required before delivery is made. The requester may stipulate a maximum fee which he or she will pay.

5. *Reconsideration of determination not to disclose records and to deny fee waivers.* Any person who has been given a determination that a requested record or any part thereof will not be disclosed, and any person who has been denied a fee waiver or reduction, may apply, in writing, to the Research and Special Programs Administrator, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, for a reconsideration of the request. For all purposes, including that of judicial review, the decision of the Administrator is administratively final.

[FR Doc. 87–25756 Filed 11–5–87; 8:45 am]

BILLING CODE 4910–62–M

Notices

Federal Register
Vol. 52, No. 215
Friday, November 6, 1987

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Temporary Emergency Food Assistance Program; Availability of Commodities, Fiscal Year 1988

AGENCY: Food and Nutrition Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces the availability of commodities for donation under the Temporary Emergency Food Assistance Program (TEFAP) authorized by the Temporary Emergency Food Assistance Act fo 1983 (Title II of Pub. L. 98–8, as amended). For Fiscal Year 1988, the Department of Agriculture will continue to make cheese, butter, nonfat dry milk, honey, rice, flour, and cornmeal available to State agencies that request them for distribution to eligible recipients through TEFAP. The Department of Agriculture expects donations of butter, flour, and cornmeal to be made throughout the fiscal year. Donations of cheese, nonfat dry milk, honey, and rice may not be made for the last two quarters of the fiscal year, April 1, 1988 through September 30, 1988.

FOR FURTHER INFORMATION CONTACT: Susan Proden, Chief, Program Administration Branch, Food Distribution Division, Park Office Center, Alexandria, Virginia, 22302, Telephone (703) 756–3660.

EFFECTIVE DATE: October 1, 1987.

SUPPLEMENTARY INFORMATION: This action has been reviewed under Executive Order 12291 and Secretary's Memorandum No. 1512. It has been classified as "nonmajor" because it meets none of the three criteria in the Executive Order for classification as a major rule. The action will not have an annual effect on the economy of $100 million or more; it will not cause a major increase in cost or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovative, or on the ability of United States-based enterprises to compete with foreign-based enterprises or export markets.

This action is not a rule as defined in the Regulatory Flexibility Act (5 U.S.C. 601 et seq) and thus is exempt from the provisions of that Act. The purpose of the action is to notify States, Congess, and the general public of the types and quantities of foods to be made available through TEFAP for household distribution during Fiscal Year 1988.

This action imposes no new reporting or record keeping provisions that are subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–20).

The Secretary of Agriculture estimates the following commodities and amounts will be made available for distribution through TEFAP during Fiscal Year 1988: cheese, 210 million pounds; butter 72 million pounds; nonfat dry milk 48 million pounds; honey, 48 million pounds; rice, 90 million pounds; flour, 144 million pounds; and cornmeal, 48 million pounds. The amounts of cheese, nonfat dry milk, honey, and rice estimated to be available are approximately one-half the amounts made available in Fiscal Year 1987. The Department plans to make cheese, nonfat dry milk, honey, and rice available to State agencies through March 1988 at the current monthly distribution rates of 35 million pounds for cheese, 8 million pounds for nonfat dry milk, 8 million pounds for honey, and 15 million pounds for rice. The Department will advise State agencies and the public if additional supplies of cheese, nonfat dry milk, honey, and rice become available for distribution through TEFAP.

The foods are being offered under the provisions of the Temporary Emergency Food Assistance Act of 1983 (Title II of Pub. L. 98–9, as amended). The actual types and quantities of commodities made available by the Department may differ from the above estimates. The food made available under this notice shall be targeted to needy persons, including unemployed and low-income persons.

Background and Need for Action

Donations of commodities were administratively initiated in 1981 as part of efforts to reduce vast stores of commodities. Also, the donations responded to Congressional and public concern over the costs to taxpayers of storing huge quantities of food, while, at a time of high unemployment, there were persons in need of food assistance beyond the levels provided through traditional food programs. TEFAP was codified in 1983 with the amount of commodities available for distribution limited to the amount of commodities determined by the Secretary to be in excess of the quantities needed to carry out other programs, including Commodity Credit Corporation (CCC) sales obligations, and domestic and foreign food assistance programs.

Since 1983, the government-owned supplies of cheese, nonfat dry milk, honey, and rice have been sufficient to meet sales and domestic and foreign assistance obligations with excess commodities available for distribution through TEFAP. However, based on recent estimates of production and market conditions, the Department anticipates that the amount of excess cheese, nonfat dry milk, honey, and rice available for distribution through TEFAP in Fiscal Year 1988 will be about one-half of the amount made available in Fiscal Year 1987. Many factors are involved in developing the estimate of excess commodities available to TEFAP. In fact, since the estimates were made, the Department has acquired more dairy stocks than had been anticipated. Therefore, it is possible that additional amounts of these commodities may become available.

(Catalog of Federal Domestic Assistance No. 10.568)

Dated: November 2, 1987.

Anna Kondratas,

Administrator.

[FR Doc. 87–25745 Filed 11–5–87; 8:45 am]

BILLING CODE 3410-30-M

Forest Service

National Forest Timber Sales; Control of Skewed Bidding

AGENCY: Forest Service, USDA.

ACTION: Notice of proposed policy.

SUMMARY: The Forest Service published a proposed policy to control skewed bidding on National Forest System timber sales January 30, 1987, at 52 FR 3027. On may 15, 1987, at 52 FR 18399 that policy was withdrawn. After consideration of comments received on the previous proposal, the Forest Service hereby gives notice of a revised skewed bidding policy that will protect both the purchaser and the government from the adverse effects of the speculative practice of skewed bidding.

DATE: Comments must be received in writing by January 5, 1988.

ADDRESS: Interested persons may send written comments to F. Dale Robertson, Chief (2400), Forest Service, USDA, P.O. Box 96090, Washington, DC 20090–6090.

FOR FURTHER INFORMATION CONTACT: Questions about this notice should be addressed to Milo Larson, Timber Management Staff (202) 475–3754.

SUPPLEMENTARY INFORMATION: Timber is sold from the National Forest System to private purchasers through competitive bidding. Timber sales often include more than one species or groups of species of similar value. In these sales prospective purchasers offer bids by species. The high bid for a sale is determined by adding the totals for the price bid for each species multiplied by the estimated timber volume of that species. The sale is awarded to the qualified bidder whose cumulative bid has the highest total value.

Skewed bidding occurs when an unusually high bid is placed on a timber species that represents a minor proportion of the total sale volume, thus allowing the bidder to offer lower bid rates on high volume timber species. Usually high bids on low volume or low value species are speculative in nature and can be harmful to either the purchaser or the government.

The volume estimates by the Forest Service are only estimates and are subject to verification by the timber purchasers. These estimates for individual species have less statistical reliability than do the volume estimates for the total sale. The reliability is usually poorest for those species in a timber sale representing the lowest volumes or highest incidence of defect. Even small inaccuracies can have major financial impact when the bid is skewed. If more and the estimated volume of a skewed bid species is present, the purchaser must pay disproportionately more than if less, the government receives much less than it should, because the purchaser is paying lower rates on the remaining high volume species.

Also, an unsuccessful bidder who submitted an unskewed bid may have actually offered the higher bid based on the actual timber volume which is often measured after it is sold and cut. That bidder was, in effect unfairly denied the sale, and the Government does not receive the highest value for the sale.

Skewed bidding on National Forest timber sales has been the subject of a General Accounting Office Review (GAO/RCED–83–87). This proposal is in partial response to the recommendations of that review.

Skewed bidding varies in importance in different market areas depending on species values, the use of three measurement sales and the competitive position of purchasers within them.

Proposal: The proposed policy would recognize the need for timber purchasers to pay different rates for individual species according to their particular manufacturing or marketing capabilities, but it would prevent disproportionately high bids on any one species or group of species, thereby protecting both the Government and the purchasers when estimates of low volume species prove inaccurate. The policy gives the Regional Foresters flexibility to apply the policy in the market areas where it is most needed.

The proposed policy, which would be incorporated in the Forest Service Manual, Chapter 2430, and the Sale Preparation Handbook, FSH 2409.18, would provide the following direction to Forest Service line officers and timber sale contracting personnel:

On those National Forests or in specific market areas where the Regional Forester has determined that skewed bidding has occurred or is likely to occur because of species mix, intensely competitive bidding, highly variable defect, difficulty of accurate volume estimation, or other factors, the following policy shall apply to advertising timber sales:

The bid premium (the amount bid above the advertised rates set by the Forest Service for a timber sale) shall be bid for the volume of the timber sale as a whole. A purchaser can elect to assign the bid premium by species or species groups after successfully bidding for the sale but must do so prior to contract execution. Contracting Officers shall only accept purchaser assignments of bid premium that fall within the following guidelines:

1. The assigned rate for a species or species group cannot be less than the advertised rate.

2. The assigned bid premium for a species or species group cannot be more than twice the average bid premium for the sale as a whole.

3. The average of the bid premiums assigned, weighted by the volume of species or groups, must total to within $0.01 of the average bid premium for the sale.

If the purchaser does not elect to assign the bid premium to species or group prior to contract execution, the Contracting Officer shall assign the average bid premium to each species or group.

The following exhibit illustrates how these guidelines would apply to a representative sale.

EXAMPLE

	Species			Total
	Douglas-fir	White pine	White fir and other	
Volume	5MMBF	4MMBF	1MMBF	10MMBF
Advertised Rate.	$20/MBF.	$80/MBF.	$10/MBF.	$430,000
Bid for Sale..	xxxx	xxxx	xxxx	530,000
Total Bid Premium.	xxxx	xxxx	xxxx	100,000
Average Bid Premium.	xxxx	xxxx	xxxx	10.00/MBF
($100,000/10MMBF = $10.00/MBF)				
Maximum rate.	$40/MBF.	$100/MBF.	$30/MBF.	xxxx
(Includes $20.00 (10.00 × 2) maximum assignable bid premium)				

ALTERNATIVE ASSIGNMENT OF BID RATES FOR THE EXAMPLE SALE

	Rates			Total bid premium
Purchaser is Douglas-fir Mill.	$40/MBF.	$80/MBF.	$10/MBF.	$100,000
Purchaser is White Pine Mill.	20/MBF..	100/MBF.	30/MBF..	100,000
Purchaser defers to Contracting Officer.	30/MBF..	90/MBF..	20/MBF..	100,000

Calculations

Douglas-fir Mill—
$20.00 max. assignable bid premium assigned to D.fir adv. rate of $20.00=$40/mbf rate. $20.00×5mmbf D.fir volume=$100,000 total bid premium. $100,000 divided by 10mmbf sale volume=$10.00/mbf average bid premium.

White Pine Mill—
$20.00 max. assigned to W.pine=$100/mbf rate ($20.00×4mmbf white pine volume=$80,000) and $20.00 max. assigned to W.fir=$30/mbf ($20.00×1mmbf=$20,000). $80,000+$20,000=$100,000 divided by 10mmbf sale volume=$10.00/mbf average bid premium.

Contracting Officer—
Assign average bid premium to each species ($10.00×5mmbf+$10.00×4mmbf+$10.00×1mmbf=$100,000, divided by 10mmbf=$10.00 average bid premium.

In addition to the proposed direction, the agency will incorporate the bid assignment language in the standard

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timber sale prospectus used for the timber sales where the proposed policy would be applied.

Impacts: The Chief of the Forest Service has determined that this policy does not meet the definition of a major rule as set forth in Executive Order 12291. The proposed policy will not have an annual effect on the economy of $100 million or more; will not result in major increases in costs for consumers, individual industries, Federal, State or local Government agencies or geographic regions, and will not have significant adverse effects on competition, employment, investment, productivity, innovation, and the ability of United States-based industries to compete with foreign-based enterprises in domestic or export markets.

The Chief of the Forest Service has also determined that this policy will not have significant economic impacts on a substantial number of small entities. The policy should help small and large entities by making the bid process fair to both.

Based on both experience and environmental analysis, this proposed policy will have no significant effect on the human environment, individually or cumulatively. Therefore it is categorically excluded from documentation in an environmental assessment or an environmental impact statement (40 CFR 1508.4).

This proposal would not require any public reporting or recordkeeping.

Date: October 9, 1987.

George M. Leonard,

Associate Chief.

[FR Doc. 87-25726 Filed 11-5-87; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

International Trade Administration

[A-122-402]

Certain Dried Heavy Salted Codfish From Canada; Final Results of Antidumping Duty Administrative Review

AGENCY: International Trade Administration/Import Administration, Commerce.

ACTION: Notice of final results of antidumping duty administrative review.

SUMMARY: On July 6, 1987, the Department of Commerce published the preliminary results of its administrative review of the antidumping duty order on certain dried heavy salted codfish from Canada. The review covers three producers and/or exporters of this merchandise to the United States and the period July 3, 1985 through June 30, 1986.

We gave interested parties an opportunity to comment on the preliminary results. We received comments from the petitioner, Codfish Corporation. Based on our analysis of the comments received and correction of clerical errors, we have changed the margins from those presented in the preliminary results.

EFFECTIVE DATE: November 6, 1987.

FOR FURTHER INFORMATION CONTACT: Arthur N. DuBois or Robert J. Marenick, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 377-5289/5255.

SUPPLEMENTARY INFORMATION:

Background

On July 6, 1987, the Department of Commerce ("the Department") published in the **Federal Register** (52 FR 25280) the preliminary results of its administrative review of the antidumping duty order on certain dried heavy salted codfish from Canada (50 FR 27836, July 8, 1985). The Department has now completed the administrative review in accordance with section 751 of the Tariff Act of 1930 ("the Tariff Act").

Scope of Review

Imports covered by this review are shipments of certain dried heavy salted codfish, including soft-dried codfish, from Canada, currently classifiable under item 111.2200 of the Tariff Schedules of the United States Annotated.

This product is currently classifiable under HS items 0305.51.00 and 0305.30.60. The term "certain dried heavy salted codfish" covers dried heavy salted codfish, whole or processed by removal of heads, fins, viscera, scales, vertebral columns, or any combination thereof, but not otherwise processed, and not in airtight containers. The review covers three exporters of this merchandise to the United States and the period July 3, 1985 through June 30, 1986.

Analysis of Comments Received

We invited interested parties to comment on the preliminary results. We received written comments from the petitioner, Codfish Corporation.

Comment 1: The petitioner objects to the Department's preliminary cash deposit rate of zero percent for new shippers. It contends that this rate conflicts with the requirements of § 353.53a(d)(2) of the Commerce Regulations. These regulations provide that the government shall continue to collect cash deposits previously established for companies that are not covered in a current review. The petitioner contends that the proper rate is the rate established by the order for all other manufacturers and-or exporters.

The petitioner also states that the preliminary zero cash deposit rate for new companies will prompt numerous small companies located in Nova Scotia already covered by the order to form a "new" company to avoid paying any cash deposit. Then there would be no incentive for these companies to request an administrative review, leaving no effective mechanism to prevent evasion of the order.

Department's Position: Although the Department has changed from zero to 1.86 percent the cash deposit rate for new exporters in these final results, we disagree in principle with petitioner's argument. The regulation cited requires that we continue to collect cash deposits on merchandise from exporters not covered by a review. Accordingly, we stated that for any shipments from the remaining known manufacturers and/or exporters not covered in this review, whether or not specifically identified in the original order, a cash deposit shall be required at the rates published in the antidumping duty order (50 FR 20819, July 8, 1985).

We disagree that this regulation requires us to apply the 1985 "all other" rate to new shippers. The requirement to continue to collect the same rate of deposit refers only to those shippers who were subject to a previously established rate or who previously entered the merchandise at the "all other" rate of deposit.

Our practice is to give new shippers the highest current rate for firms with shipments we reviewed. Section 751(a) of the Tariff Act allows a petitioner not satisfied with the rate for new exporters to request a review of future shipments of this merchandise. Therefore, if the highest current rate for reviewed firms is not representative of a new exporter's dumping margin, the rate can be adjusted based on the review.

Comment 2: The petitioner contends that the Department conducted an inadequate verification of the cost of production portion of the information submitted by Canadian Saltfish Corporation ("Saltfish"). The verification of that portion was limited to verifying the costs of the physical differences claimed in the response. The scope of the verification did not extend to the costing process or to the issue of sales below cost. The petitioner

contends, therefore, that the Department must resort to the best information available pursuant to section 776 of the Tariff Act (19 U.S.C. 1677e), which requires that the Department verify all information in this final results of administrative review.

Department's Position: We disagree. The Department was not required to conduct a verification in this first administrative review. Section 776(a)(3)(B) of the Tariff Act (19 U.S.C. 1677e(a)(3)(B)) provides that verification is required only when "no verification was made * * * during the two immediately preceding reviews and determinations." Though not required to verify, the Department agreed to verify the areas of the cost of production that the petitioner alleged to be unreliable—Selling, General and Administrative expenses (SG&A) and the use of other income from salt sales to reduce cost of production.

Moreover, the Department is not required to audit every figure reported in the response. The process of verification usually involves spot-checking and cross-checking of the information which the Department selects for emphasis in analyzing each specific response prior to verification. We verified all of the elements of costs, including material, labor, and SG&A, and found them to be substantially accurate.

In any event, the Department may resort to the use of the best information available pursuant to Section 776(b) of the Act only when a party "refuses or is unable to produce information requested in a timely manner and in the form required, or otherwise significantly impedes an investigation * * *". Saltfish provided the Department with the information requested and the opportunity to verify that information in a cooperative manner. The use of the best information otherwise available is not justified in this case.

Comment 3: The petitioner asserts that in comparing Saltfish's third-country selling prices to its cost of production the Department erred by failing to eliminate from the calculations all of the sales below cost when those sales constituted more than 10 percent of the total sales in the such or similar category.

The petitioner also alleges that in one product category more than 90 percent of that category was sold below the cost of production, and, therefore, none of the third-country sales in that category should be used as a basis of foreign market value.

Department's Position: We agree. We have eliminated these sales below cost from the calculation of weighted-average foreign market prices and have used constructed value for the one product category with insufficient sales above cost.

Comment 4: The petitioner argues that the Department made price-to-price comparisons on sales that were not contemporaneous.

Department's Position: When there were no contemporaneous sales of identical merchandise, we made comparisons to contemporaneous sales of similar merchandise, making appropriate adjustments for differences in the merchandise.

Comment 5: The petitioner argues that there were computer errors in the calculation of the foreign market value of one product category and in the adjustment for credit expenses.

Department's Position: We agree and have corrected the calculations accordingly.

Comment 6: The petitioner contends that the Department erred in allowing the adjustment claimed by Pecheries Malbaie for differences in merchandise based on the differences in U.S. sales prices. In addition, the petitioner contends that the Department erred in making these adjustments for physical differences because Pecheries Malbaie invoiced merchandise as choice grade which contained a mixture of standard and choice grades. Moreover, the petitioner contends that the respondent has not substantiated the claimed adjustment for the differences in the merchandise sold in the two markets.

Department's Position: We agree. We have not allowed this difference in merchandise adjustment and have recalculated our results accordingly.

Final Results of the Review

As a result of the comments received and correction of clerical errors, we have revised our preliminary results for Canadian Saltfish Corporation and Pecheries Malbaie, and we determine that the following weighted-average margins exist for the period July 8, 1985 through June 30, 1986:

Manufacturer/exporter	Margin (percent)
Canadian Saltfish Corp	0.12
Pecheries Malbaie	1.86
D.A. Wayret & Sons Ltd	0

The Department will instruct the Customs Service to assess antidumping duties on all appropriate entries. Individual differences between United States price and foreign market value may very from the percentages stated above. The Department will issue appraisement instructions directly to the Customs Service.

Further, as provided for by section 751(a)(1) of the Tariff Act, a cash deposit of estimated antidumping duties based on the above margins shall be required for these firms. Since the margin for Canadian Saltfish Corporation is less than 0.5 percent and therefore *de minimis* for cash deposit purposes, the Department shall not require a cash deposit of estimated antidumping duties for that firm.

For any future entries of this merchandise from a new exporter not covered in this or prior administrative reviews, whose first shipments occurred after June 30, 1986 and who is unrelated to any reviewed firm, or any previously reviewed firm, a cash deposit of 1.86 percent shall be required. For any shipments from the remaining known manufacturers and/or exporters not covered in this review, including all other manufacturers and/or exporters who entered their first shipments during this review period, a cash deposit shall be required at the rates published in the antidumping duty order (50 FR 20819, July 8, 1985). These deposit requirements are effective for all shipments of Canadian certain dried heavy salted codfish entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53a of the Commerce Regulations (19 CFR 353.53a).

Date: October 30, 1987.

Joseph Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 87-25759 Filed 11-5-87; 8:45 am]

BILLING CODE 3510-DS-M

[C-307-702]

Extension of the Deadline Date for the Final Countervailing Duty Determination and Postponement of the Public Hearing: Certain Electrical Conductor Aluminum Redraw Rod from Venezuela

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: Based upon the request of the petitioner in this investigation, we are extending the deadline date for the final determination in this investigation to correspond to the date of the final determination in the antidumping duty investigation of the same product

pursuant to section 705(a)(1) of the Tariff Act of 1930, (the Act) as amended, [19 U.S.C. 1671d(a)(1)]. These final determinations are now due not later than March 7, 1988. Pursuant to its obligations under the Subsidies Code, the Department will terminate the suspension of liquidation in this investigation 120 days after the date of publication of the preliminary countervailing duty determination. In addition, we are postponing the hearing date originally scheduled for this investigation.

EFFECTIVE DATE: November 6, 1987.

FOR FURTHER INFORMATION CONTACT: Thomas Bombelles or Barbara Tillman, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 377–3174 or 377–2438.

SUPPLEMENTARY INFORMATION: On October 7, 1987, we issued the preliminary affirmative countervailing duty determination pertaining to this case (52 FR 38113, October 14, 1987). On October 9, 1987, in accordance with section 705(a)(1) of this Act, as amended, we received a request from the petitioner, Southwire Company, to extend the deadline date for the final countervailing duty determination to correspond to the date of the final determination in the antidumping duty investigation of the same product of Venezuela. Accordingly, we are granting an extension of the deadline date for the final determination in this investigation from December 21, 1987 to not later than March 7, 1988.

To comply with the requirements of Article 5, paragraph 3 of the Subsidies Code, the Department will direct the U.S. Customs Service to terminate the suspension of liquidation in this investigation on February 12, 1988, which is 120 days from the date of publication of the preliminary determination in this case. No cash deposits or bonds for potential countervailing duties will be required for merchandise which enters on or after February 12, 1988. The suspension of liquidation will not be resumed unless and until the Department publishes a countervailing duty order in this case. We will also direct the U.S. Customs Service to hold any entries suspended between October 14, 1987 through February 11, 1988, until the conclusion of this investigation.

In addition, due to the extension of the final determination in this investigation, we have postponed the date of the public hearing originally scheduled for November 2, 1987. I will be rescheduled if a request for a public hearing is received by the Deparment not later than November 18, 1987. Individuals who wish to participate in the hearing must submit a request to the Assistant Secretary for Import Administration, Room B–099, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; (3) the reason for attending; and (4) a list of the issues to be discussed. In addition, at least 10 copies of the business proprietary version and five copies of the public version of the pre-hearing briefs must be submitted to the Assistant Secretary seven days prior to the hearing date. Oral presentations will be limited to issues raised in the briefs.

In accordance with 19 CFR 355.33(d) and 19 CFR 355.34, written views will be considered if received not less than 30 days before the final detemination or, if a hearing is held, within 10 days after the hearing transcript is available.

This notice is published pursuant to section 705(a)(1) or the Act.

Gilbert B. Kaplan,

Acting Assistant Secretary for Import Administration.

November 2, 1987.

[FR Doc. 87–25760 Filed 11–5–87; 8:45 am]

BILLING CODE 3510–DS–M

President's Export Council; Foreign Trade Practices and Negotiations Subcommittee and the Trade Expansion Subcommittee; Open Meeting

A joint meeting of the President's Export Council Subcommittee on Foreign Trade Practices and Negotiations and Subcommittee on Trade Expansion will be held November 24, 1987, 9:30 a.m.–11:30 a.m. and 1:00 p.m.–3:30 p.m. in Salon G of the J.W. Marriott, 1331 Pennsylvania Avenue, NW., Washington, DC. The Council's purpose is to advise the President on matters relating to U.S. export trade.

Open Session: Panel discussions on agriculture in the GATT.

The meeting will be open to the public with a limited number of seats available. For further information or copies of the minutes, contact Sylvia Lino (202) 377–1125.

Dated: November 2, 1987.

Wendy H. Smith,

Director, President's Export Council.

[FR Doc. 87–25695 Filed 11–5–87; 8:45 am]

BILLING CODE 3510–DR–M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List 1987; Proposed Additions and Deletion

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed Additions and Deletion to Procurement List.

SUMMARY: The Committee has received proposals to add to and delete from Procurement List 1987 commodities and a service produced or provided by workshops for the blind or other severely handicapped.

Comments Must Be Received on or Before: December 7, 1987.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, Suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202–3509.

FOR FURTHER INFORMATION CONTACT: C.W. Fletcher, (703) 557–1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2), 85 Stat. 77 and 41 CFR 51–2.6. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed action.

Additions

If the Committee approves the proposed additions, all entities of the Federal Government will be required to procure the commodities and service listed below from workshops for the blind or other severely handicapped.

It is proposed to add the following commodities and services to Procurement List 1987, November 3, 1986 (51 FR 39945).

Commodities

Side Rack, Vehicle
2510–00–860–0517
Clamp, Loop
5340–00–104–5060
5340–00–500–0403
5340–00–254–5025
Fixture, Lighting, Industrial
6210–00–688–4929
Pad, Desk, Paperboard
7520–00–224–7238

Service

Janitorial Service, Bonneville Power Administration, 710 NE Hassalo Street, 5804 NE Hassalo Street, 5840 NE Hassalo Street, Portland, Oregon

Deletion

It is proposed to delete the following commodity from Procurement List 1987, November 3, 1986 (51 FR 39945):

Headband, Ground Troop, Helmet Liner

8470-00-153-6671
(Mechanicsburg, Pennsylvania and Richmond, Virginia depots)

C.W. Fletcher,

Executive Director.

[FR Doc. 87-25747 Filed 11-5-87; 8:45 am]

BILLING CODE 6820-33-M

Procurement List 1987; Addition

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Addition to procurement list.

SUMMARY: This action adds to Procurement List 1987 a commodity to be produced by workshops for the blind or other severely handicapped.

EFFECTIVE DATE: December 7, 1987.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, Suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202-3509.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher, (703) 557-1145.

SUPPLEMENTARY INFORMATION: On August 28, 1987 the Committee for Purchase for the Blind and Other Severely Handicapped published a notice (52 FR 32581) of proposed addition to Procurement List 1987, November 3, 1986 (51 FR 39945).

After consideration of the relevant matter presented, the Committee has determined that the commodity listed below is suitable for procurement by the Federal Government under 41 U.S.C. 46-48c, 85 Stat. 77 and 41 CFR 51-2.6.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered were:

a. The action will not result in any additional reporting, recordkeeping or other compliance requirements.

b. The action will not have a serious economic impact on any contractors for the commodity listed.

c. The action will result in authorizing small entities to produce the commodity procured by the Government.

Accordingly, the following commodity is hereby added to Procurement List 1987:

Commodity

Buckle, Belt
8315-00-598-6278

C. W. Fletcher,

Executive Director.

[FR Doc. 87-25748 Filed 11-5-87; 8:45 am]

BILLING CODE 6820-33-M

DEPARTMENT OF DEFENSE

Public Information Collection Requirement Submitted to OMB for Review

SUMMARY: The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information; Collection and Form Number if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact for whom a copy of the information proposal may be obtained.

Extension

Application and Agreement for Establishment of a Junior Reserve Officers' Corps Unit; DA Form 3126 (OMB No. 0702-0021).

The DA Form 3126 is used as an application and contract between the U.S. Government and secondary level schools who would like to establish a new Army Junior ROTC unit.

State or local governments and non-profit institutions.

Responses: 65.

Burden Hours: 65.

ADDRESSES: Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Ms. Pearl Rascoe-Harrison, DOD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone number (202) 746-0933.

SUPPLEMENTARY INFORMATION: A copy of the information collection proposal may be obtained from Ms. Angela R. Petrarca, SAIS-ADR, Room 1C638, The Pentagon, Washington, DC 20310-0107, telephone (202) 694-0754.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

November 2, 1987.

[FR Doc. 87-25723 Filed 11-5-87; 8:45 am]

BILLING CODE 3810-01-M

Defense Intelligence Agency Scientific Advisory Committee; Closed Meeting

AGENCY: Office of the Secretary, DOD.

ACTION: Notice of closed meeting.

SUMMARY: Pursuant to the provisions of subsection (d) of section 10 of Pub. L. 92-463, as amended by section 5 of Pub. L. 94-409, notice is hereby given that a closed meeting of a panel of the DIA Scientific Advisory Committee has been scheduled as follows:

DATE: Wednesday, 16 December 1987, 9:00 a.m. to 5:00 p.m.

ADDRESS: The DIAC, Bolling AFB, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Lieutenant Colonel John E. Hatlelid, USAF, Executive Secretary, DIA Scientific Advisory Committee, Washington, DC 20340-1328 (202/373-4930).

SUPPLEMENTARY INFORMATION: The entire meeting is devoted to the discussion of classified information as defined in section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter will be used in a special study on tactical intelligence information handling systems.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

November 2, 1987.

[FR Doc. 87-25722 Filed 11-5-87; 8:45 am]

BILLING CODE 3810-01-M

Office of the Secretary

Organization of the Joint Chiefs of Staff; Joint Strategic Target Planning Staff (JSTPS), Scientific Advisory Group; Closed Meeting

AGENCY: Joint Strategic Target Planning Staff, DoD.

ACTION: Change in date of closed meeting.

SUMMARY: The meeting scheduled for 18 and 19 November 1987, announced in the **Federal Register** on October 23, 1987, has been changed to November 17 and 18 November 1987. All other information remains unchanged.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

November 3, 1987.

[FR Doc. 87-25789 Filed 11-5-87; 8:45 am]

BILLING CODE 3810-01-M

Defense Science Board Task Force on B–1B Defensive Avionics; Cancellation of Meeting

ACTION: Cancellation of meeting.

SUMMARY: The meeting notice for the Defense Science Board Task Force on B–1B Defensive Avionics for October 27–28, 1987 as published in the **Federal Register** (Vol. 52, No. 197, Page 38000–38001, Tuesday, October 13, 1987, FR Doc 87–23644.) has been cancelled.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

November 2, 1987.

[FR Doc. 87–25719 Filed 11–5–87; 8:45 am]

BILLING CODE 3810–01–M

Defense Science Board Task Force on Military System Applications of Superconductors

ACTION: Notice of advisory committee meetings.

SUMMARY: The Defense Science Board Task Force on Military System Applications of Superconductors will meet in closed session on January 7–8, February 24–25, March 17–18, and April 14–15, 1988 at the Defense Advanced Research Projects Agency, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition on scientific and technical matters as they affect the perceived needs of the Department of Defense. At these meetings the Task Force will enumerate and evaluate military system applications that may be enabled by the recent progress in high temperature superconductors.

In accordance with section 10(d) of the Federal Advisory Committee Act, Pub. L. No. 92–463, as amended (5 U.S.C. App. II, (1982)), it has been determined that these DSB Task Force meetings, concern matters listed in 5 U.S.C. 552b(c) (1) (1982), and that accordingly these meeings will be closed to the public.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

November 2, 1987.

[FR Doc. 87–25720 Filed 11–5–87; 8:45 am]

BILLING CODE 3810–01–M

DEPARTMENT OF ENERGY

Assistant Secretary for International Affairs and Energy Emergencies

Proposed Subsequent Arrangement; Austria

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation between the Government of the United States of America and the Government of Austria concerning Civil Uses of Atomic Energy, as amended, and the Additional Agreement for Cooperation between the Government of the United States of America and the European Atomic Energy Community (EURATOM) concerning Peaceful Uses of Atomic Energy, as amended.

The subsequent arrangement to the carried out under the above-mentioned agreements involves approval of the following retransfer:

RTD/EU(AT)–20, for the retransfer of 494 fuel elements containing approximately 91,450 kilograms of uranium enriched to 1.94 percent in the isotope uranium–235 from Zwentendorf, Austria to Hanau, the Federal Republic of Germany for disassembly and recovery of contained uranium.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Date: October 26, 1987.

George J. Bradley, Jr.,

Principal Deputy Assistant Secretary for International Affairs and Energy Emergencies.

[FR Doc. 87–25677 Filed 11–5–87; 8:45 am]

BILLING CODE 6450–01–D

Proposed Subsequent Arrangement; Canada

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" pursuant to general license issued by the U.S. Nuclear Regulatory Commission.

The subsequent arrangement to be carried out under the above-mentioned general license involves approval of the following sale:

Contract Number S–CA–403, for the sale of 10 milligrams of uranium–236 for use for uranium-thorium dating of stalagmites by mass spectrometry by the Department of Geography, McMaster University, Ontario, Canada.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Date: October 26, 1987.

George J. Bradley, Jr.,

Principal Deputy Assistant Secretary for International Affairs and Energy Emergencies.

[FR Doc. 87–25678 Filed 11–5–87; 8:45 am]

BILLING CODE 6450–01–D

Proposed Subsequent Arrangement; South Carolina

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement."

The subsequent arrangement involves the shipment, to U.S. Department of Energy Facilities at the Savannah River Plant in South Carolina, from a research reactor in Taiwan, of irradiated fuel rods containing approximately 60,000 kilograms of natural uranium for reprocessing and storage of recovered nuclear materials. The fuel rods will be off loaded at a U.S. port and transported over land to the DOE facilities.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Date: October 26, 1987.

George J. Bradley, Jr.,

Principal Deputy Assistant Secretary for International Affairs and Energy Emergencies.

[FR Doc. 87–25679 Filed 11–5–87; 8:45 am]

BILLING CODE 6450–01–D

Proposed Subsequent Arrangement; Switzerland

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement"

under the Agreement for Cooperation between the Government of the United States of America and the Government of Switzerland concerning Civil Uses of Atomic Energy, as amended, and the Agreement for Cooperation between the Government of the United States of America and the Government of Norway concerning Peaceful Uses of Nuclear Energy.

The subsequent arrangement to be carried out under the above-mentioned agreements involves approval of the following retransfer:

RTD/NO(SD)-3, for the retransfer of 33,421 kilograms of heavy water from Switzerland to Norway for upgrading. It is planned to subsequently return the heavy water to Switzerland, for use in the European Organization for Nuclear Research (CERN).

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Date: October 22, 1987.

George J. Bradley, Jr.,

Principal Deputy Assistant Secretary for International Affairs and Energy Emergencies.

[FR Doc. 87-25680 Filed 11-5-87; 8:45 am]

BILLING CODE 6450-01-D

Economic Regulatory Administration

[ERA Docket No. 87-30-NG]

Dome Petroleum Corp.; Order Extending Blanket Authorization To Import Natural Gas

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of order extending blanket authorization to import natural gas.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice that it has issued to Dome Petroleum Corporation (Dome Corp.) an order extending for two years blanket authorization to import Canadian natural gas for sale in the domestic spot market. The order issued in ERA Docket No. 87-30-NG authorizes Dome Corp. to import up to 200 Bcf of gas during the period December 2, 1987, through December 1, 1989.

A copy of this order is available for inspection and copying in the Natural Gas Division Docket Room, GA-76, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-9478. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, except Federal holidays.

Issued in Washington, DC, October 30, 1987.

Robert L. Davies,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 87-25786 Filed 11-5-87; 8:45 am]

BILLING CODE 6450-01-M

[ERA Docket No. 86-60-NG]

Natural Gas Pipeline Co. of America; Order Extending Authorization To Import Natural Gas From Canada

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of order extending authorization to import natural gas from Canada.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice that it has issued an order extending authorization for Natural Gas Pipeline Company of America (Natural) to import up to 75,000 Mcf of Canadian natural gas per day. The order issued in ERA Docket No. 86-60-NG would extend Natural's authority to import gas from ProGas Limited for the term October 31, 1987, through October 31, 1994.

A copy of this order is available for inspection and copying in the Natural Gas Division Docket Room, GA-076, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-9478. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, October 30, 1987.

Robert L. Davies,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 87-25784 Filed 11-5-87; 8:45 am]

BILLING CODE 6450-01-M

[ERA Docket No. 87-51-NG]

Standard Gas Marketing Co.; Application To Import Natural Gas From Canada

AGENCY: Economic Regulatory Administration.

ACTION: Notice of application for blanket authorization to import natural gas.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice of receipt on September 24, 1987, of an application filed by Standard Gas Marketing Company (Standard Gas) for blanket authorization to import natural gas from Canada for resale to purchasers in the United States on a short-term or spot basis, and to import gas as agent for other purchasers. Authorization is requested to import up to 50 Bcf of Canadian natural gas during a two-year period commencing on the date of first delivery. Standard Gas is a Delaware Corporation with an office in Houston, Texas. It is a wholly owned subsidiary of the Sohio Petroleum Company which in turn is a wholly-owned subsidiary of The British Petroleum Company p.l.c.

The specific terms of each short-term or spot sale will be the product of negotiation between Standard Gas and U.S. purchasers, and will be responsive to current market conditions for natural gas.

Standard Gas intends to use existing transmission systems and will not require the construction of new or separate facilities to import Canadian natural gas.

The application is filed with the ERA pursuant to Section 3 of the Natural Gas Act and DOE Delegation Order No. 0204-111. Protests, motions to intervene, notices of intervention and written comments are invited.

DATE: Protests, motions to intervene, or notices of intervention, as applicable, and written comments are to be filed no later than December 7, 1987.

FOR FURTHER INFORMATION CONTACT:

Frank Duchaine, Natural Gas Division, Economic Regulatory Administration, Forrestal Building, Room GA-076, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-8233

Diane Stubbs, Natural Gas and Mineral Leasing, Office of General Counsel, U.S. Department of Energy, Forrestal Building, Room 6E-042, 1000 Independence Avenue SW., (202) 586-6667.

SUPPLEMENTARY INFORMATION: The decision on this application will be made consistent with the DOE's gas import policy guidelines, under which the competitiveness of an import arrangement in the markets served is the primary consideration in determining whether it is in the public interest (49 FR 6684, February 22, 1984). Parties that may oppose this application should comment in their responses on the issue of competitiveness as set forth in the policy guidelines. The applicant asserts

that this import arrangement is competitive. Parties opposing the arrangement bear the burden of overcoming this assertion.

Public Comment Procedures

In response to this notice, any person may file a protest, motion to intervene or notice of intervention, as applicable, and written comments. Any person wishing to become a party to the proceeding and to have the written comments considered as the basis for any decision on the application must, however, file a motion to intervene or notice of intervention, as applicable. The filing of a protest with respect to this application will not serve to make the protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the application. All protests, motions to intervene, notices of intervention, and written comments must meet the requirements that are specified by the regulations in 10 CFR Part 590. They should be filed with the Natural Gas Division, Office of Fuels Programs, Economic Regulatory Administration, Room GA–076, RG–23, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9478. They must be filed no later than 4:30 p.m. e.d.t., December 7, 1987.

The Administrator intends to develop a decisional record on the application through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used and necessary to achieve a complete understanding of the facts and issues. A party seeking intervention may request that additional procedures be provided, such as additional written comments, and oral presentation, a conference, or trial-type hearing. Any request to file additional written comments should explain why they are necessary. Any request for an oral presentation should identify the substantial question of fact, law, or policy at issue, show that it is material and relevant to a decision in the proceeding, and demonstrate why an oral presentation is needed. Any request for a conference should demonstrate why the conference would materially advance the proceeding. Any request for a trial-type hearing must show that there are factual issues genuinely in dispute that are relevant and material to a decision and that a trial-type hearing is necessary for a full and true disclosure of the facts.

If an additional procedure is scheduled, the ERA will provide notice to all parties. If no party request additional procedures, a final opinion and order may be issued based on the official record, including the application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

A copy of Standard Gas' application is available for inspection and copying in the Natural Gas Division Docket Room, GA–076 at the above address. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, October 30, 1987.

Robert L. Davies,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 87–25787 Filed 11–5–87; 8:45 am]

BILLING CODE 6450–01–M

[ERA Docket No. 87–37–NG]

Texas Eastern Transmission Corp.; Order Extending Authorization to Import Natural Gas From Canada and Authorization Spot Sales

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of order granting extension of authorization to import natural gas from Canada, and providing for spot sales.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice that it has issued an order extending the present authorization of Texas Eastern Transmission Corporation (Texas Eastern) to import up to 75,000 Mcf of natural gas per day from Canada from November 1, 1987, through October 31, 2000. The order amends Texas Eastern's existing authorization for the importation originally granted by DOE/ERA Opinion and Order No. 32 and previously amended by DOE/ERA Opinion and Order No. 112. The authorization is based on a new gas sales contract between Texas Eastern and its Canadian supplier, ProGas Limited (ProGas) which supersedes all prior sales agreements, and a new Texas Eastern/ProGas special marketing agreement.

Within the limits of the import authorization granted of up to 75,000 Mcf per day, the order also authorizes Texas Eastern to import natural gas which, if not needed to meet system supply contract demand, may be released for sale by ProGas' and/or Texas Eastern's U.S. marketer to third parties in the spot market pursuant to the Texas Eastern/ProGas special marketing agreement. The duration of Texas Eastern's authority for spot market sales has been restricted to two years from the date of first delivery to conform with the ERA's policy on such blanket authorizations.

A copy of this order is available for inspection and copying in the Natural Gas Division Docket Room, GA–076, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9478. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays.

Issued in Washington, DC, October 30, 1987.

Robert L. Davies,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 87–25788 Filed 11–5–87; 8:45 am]

BILLING CODE 6450–01–M

[ERA Docket No. 87–46–NG]

Williams Gas Marketing Co.; Order Granting Blanket Authorization To Import Natural Gas From Canada

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of order granting blanket authorization to import natural gas from Canada.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice that it has issued an order granting Williams Gas Marketing Company (Williams), blanket authorization to import natural gas from Canada. The order issued in ERA Docket No. 87–46–NG authorizes Williams to import up to 200 Bcf over a two-year period.

A copy of this order is available for inspection and copying in the Natural Gsas Division Docket Room, GA–076, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 596–9478. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays.

Issued in Washington, DC, November 3, 1987.

Robert L. Davies,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 87–25785 Filed 11–5–87; 8:45 am]

BILLING CODE 6450–01–M

Federal Energy Regulatory Commission

[Docket Nos. ER87-656-000, et al.]

Arkansas Power & Light Co., et al.; Electric Rate and Corporate Regulation Filings

November 2, 1987.

Take notice that the following filings have been made with the Commission:

1. Arkansas Power & Light Company

[Docket No. ER87-656-000]

Take notice that on September 11, 1987, Arkansas Power & Light Company tendered for filing a name change in its updated Rate Schedules M33 and M33A filed July 31, 1987. The schedules included reference to Middle South Energy, Inc. (MSE). Due to a corporate name change which took effect July 28, 1986, Middle South Energy, Inc. (MSE) became System Energy Resources, Inc. (SERI).

Copies of the modified schedules have been sent to the wholesale customers affected by the filing and the Public Service Commission of Arkansas, Louisiana, Missouri and Tennessee.

Comment Date: November 16, 1987, in accordance with Standard Paragraph E at the end of this document.

2. Bangor Hydro-Electric Company

[Docket No. ER88-56-000]

Take notice that on October 26, 1987, Bangor Hydro-Electric Company (Bangor) tendered for filing a correction to its October 23, 1987 filing which included an initial rate schedule for service to Isle au Haut. Bangor states that the demand charge and determination of demand provisions of that initial rate schedule misstated the minimum demand charges. The monthly minimum demand charge should be $218.75 and the minimum billing demand should be 25 kilowatts.

Comment Date: November 16, 1987, in accordance with Standard Paragraph E at the end of this notice.

3. Gulf States Utilities Company

[Docket Nos. ER86-558-002, EL86-48-000, and EL87-3-000]

Take notice that on October 27, 1987, Gulf States Utilities Company tendered for filing pursuant to Commission letter dated July 22, 1987 its Compliance Report which includes a summary of the total refund, including interest, which resulted from the acceptance by your Commission of the executed Settlement Agreement in Docket Nos. ER86-558-002, EL86-48-000, and EL87-3-000 filed on March 20, 1987.

Gulf States Utilities Company states that refunds were made to all affected customers by check delivered on August 11, 1987, with the exception of the Town of Kaplan.

Copies of the filing were served upon each person designated on the official service list in this proceeding.

Comment Date: November 16, 1987, in accordance with Standard Paragraph E at the end of this notice.

4. Pacific Gas and Electric Company

[Docket No. ER88-58-000]

Take notice that on October 28, 1987, Pacific Gas and Electric Company (PG&E) tendered for filing proposed changes to certain rates, terms, and conditions concerning those services rendered by PG&E under settlement agreements between PG&E and the City and County of San Francisco (CCSF) FERC No. 53, the City of Santa Clara (CSC) FERC No. 85, Shelter Cover Resort Improvement District #1 (RID #1) FERC No. 90, Port of Oakland (Port) FERC No. 95, and CP National (CPN) FERC No. R-2.

The Settlement Agreement with each customer embodies the agreement between PG&E and the customer regarding the procedure and mechanism designed to recover amounts due PG&E from the customer, and amounts due the customer from PG&E, as a result of rate changes based on certain California Public Utilities Commission (CPUC) and Federal Energy Regulatory Commission decisions.

Copies of this filing were served upon CCSF, CSC, RID #1, Port, and CPN and the Public Utilities Commission of the State of California.

Comment Date: November 16, 1987, in accordance with Standard Paragraph E at the end of this notice.

5. Vermont Electric Power Company, Inc.

[Docket No. ER88-57-000]

Take notice that on October 26, 1987, Vermont Electric Power Company, Inc. (VELCO) tendered for filing an amendment to Supplement No. 2 to the rate schedule filed by VELCO on July 31, 1985 in Docket No. ER85-657-000. That rate schedule provides for the transmission of power and associated energy recently acquired by Vermont from the New York Power Authority. The amendment to Supplement No. 2 noticed herein extends the rate schedule to the transmission of up to 10,000 Kilowatts of power purchased by Vermont from Ontario Hydro under a contract to commence November 1, 1987.

VELCO proposes that the Amendment to Supplement No. 2 become effective on November 1, 1987. VELCO requests waiver of the Commission's regulations to allow the Amendment to become effective as of that date. If waiver is granted, VELCO states that there will be no effect upon customers under VELCO's other rate schedules.

VELCO states that it has served the filing upon the Vermont Public Service Board and Vermont Department of Public Service.

Comment Date: November 16, 1987, in accordance with Standard Paragraph E at the end of this notice.

6. Wisconsin Power & Light Company

[Docket Nos. ER87-435-001, ER87-554-000]

Take notice that on October 28, 1987, Wisconsin Power & Light Company tendered for filing pursuant to Commission Order issued September 28, 1987 a compliance report.

This filing consists of:

1. Revised tariffs which reflect the synchronization of fuel clause revenues with the fuel expenses;

2. A worksheet calculating the adjustment to Tier I present revenues as the result of fuel clause synchronization; and

3. A summary of the revenue effect, by customer, of synchronization.

Copies of the filing were served upon each person designated on the official service list in this proceeding.

Comment Date: November 16, 1987, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determing the appropriate action to be taken, but will not serve to make protestants parties to the proceeding Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-25777 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CI87-896-000, et al]

Kimbell Oil Company of Texas, et al.; Applications for Certificates, Abandonments of Service and Petitions to Amend Certificates [1]

November 3, 1987.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before November 18, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to inervene or a protest in accordance with the requirements of the Commission's Rules or Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Lois D. Cashell,

Acting Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI87-896-000, B, Sept. 10, 1987 [1].	Kimbell Oil Company of Texas, c/o Godfey & Decker, 3200 Continental Plaza, Fort Worth, Texas 76102-5304.	Northern Natural Gas Company, Division of Enron Corp., Upper Morrow Field, Hansford County, Texas.	[2]	
CI87-892-000, B, Sept. 8, 1987.	Tom Brown, Inc., P.O. Box 2608, Midland, Texas 79702-2608.	Williston Basin Interstate Pipeline Co., Pavillion Field, Fremont County, Wyoming.	[3]	
CI87-893-000, B, Sept. 8, 1987.	....do	....do	[3]	
CI88-47-000, B, Oct. 22, 1987.	Vernon E. Faulconer, c/o David L. Smelley, Hargrove, Guyton, Ramey and Barlow, P.O. Box B, Shreveport, La. 71161-0010.	Natural Gas Pipeline Company of America, Archie Campbell No. 1 well, Sec. 1-T1N-R19ECM, Hardesty Field (Camrick Gas Area), Texas County, Oklahoma.	[4]	
CI88-56-000, B, Oct. 9, 1987.	Kenneth W. Cory, c/o Pat Chesnut, 6565 West Loop South—Suite 780, Bellaire, Texas 77401.	ANR Pipeline Company, Hieronymus #1 and Van Dorn #1, Harper County, Oklahoma..	[5]	
CI84-478-001, CI84-480-001, CI84-481-001, D, Oct. 26, 1987.	Sun Exploration & Production Co., P.O. Box 2880, Dallas, Texas 75221-2880.	Williams Natural Gas Co., Rodman Plant, Garfield County, Oklahoma.	[6]	
CI88-61-000 (CI66-1215), B, Oct. 26, 1987.	....do	Natural Gas Pipeline Company of America, Smith Perryton Field, Ochiltree County, Texas.	[7]	
CI88-62-000, (G-10776), B, Oct. 26, 1987.	....do	Panhandle Eastern Pipeline Company, Keyes Field, Cimarron County, Oklahoma.	[8]	
CI62-1111-003, D, Oct. 26, 1987.	....do	ANR Pipeline Company, Laverne Field, Harper County, Oklahoma.	[9]	
G-5377-000, D, Oct. 26, 1987.	Texaco Producing Inc., P.O. Box 52332, Houston, Texas 77052.	El Paso Natural Gas Company, West Dollarhide Field, Lea County, New Mexico.	[10]	
CI68-943-000, D, Oct. 26, 1987.	....do	....do	[10]	
CI83-64-002, D, Oct. 26, 1987.	Kerr-McGee Corporation, P.O. Box 25861, Oklahoma City, Oklahoma 73125.	Transcontinental Gas Pipe Line Corp., OCS-G-3741 C-3 Well, Galveston Block 393 Field, Offshore Texas.	[11]	
CI86-548-001, D, Oct. 26, 1987.	....do	Consolidated Gas Transmission Corporation, R. Mills #1, France #3 and Gregory-Mitchell #1 Wells, Grampian Field, Pennsylvania.	[12]	
CI86-549-002, D, Oct. 26, 1987.	....do	Consolidated Gas Transfusion Corp, L.L. Manley Well #3, Clearfield, County, Pennsylvania.	[13]	
CI88-52-000, (G-2896), B, Oct. 23, 1987.	ARCO Oil and Gas Company, Division of Atlantic Richfield Company, P.O. Box 2819, Dallas, Texas 75221.	Panhandle Eastern Pipeline Company, West Panhandle Field, Moore County, Texas.	[14]	
CI88-49-000, F, Oct. 22, 1987.	Exxon Corporation, P.O. Box 2180, Houston, Texas 77252-2180.	Richard Fester Pipeline Co., Hartzog Draw Unit, Campbell County, Wyoming.	[15]	

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI88-51-000, B, Oct. 23, 1987.	E.G. Pence, *et al.*—Nutter #4	Consolidated Gas Transmission Corporation, Triplett Field, Roane County, West Virginia.	[16]	
CI88-63-000, B, Oct. 26, 1987.	Petroleum Development Corporation	Consolidated Gas Transmission Corporation, Glade Run Field, Harrison County, West Virginia. Tennessee Gas Pipeline Company, a Division of Tenneco Inc..	[17]	
CI88-45-000, (CI75-479), B, Oct. 21, 1987.	Conoco Inc., P.O. Box 2197, Houston, Texas 77252.	West Cameron Block 135, Offshore Louisiana.	[18]	
CI81-201-002, D, Oct. 26, 1987.	Diamond Shamrock Offshore Partners Limited Partnership, LTV Center—Suite 1400, 2001 Ross Avenue, Dallas, Texas 75201-2916.	Trunkline Gas Company, Block 377, Eugene Island Area, Offshore (Federal) Louisiana.	[19]	
CI87-939-000, B, Oct. 28, 1987.	VRK Operating Company, Inc., 4100 International Plaza Tower II, #624, Fort Worth, Texas 76109.	Williams Natural Gas Company, West Panhandle Field, Sections 242 and 243, Block B-2, Carson County, Texas.	[20]	
CI88-46-000, (CI61-1111), B, Oct. 22, 1987.	Pennzoil Company, P.O. Box 2967, Houston, Texas 77252-2967.	Transcontinental Gas Pipe Line Corp., Eugene Island Block 116, Block 128 Field, Offshore Louisiana.	[21]	
CI88-65-000, (CI65-749), B, Oct. 27, 1987.	ARCO Oil and Gas Company, Division of Atlantic Richfield Company.	Williams Natural Gas Company, Basin Dakota Field, Rio Arriba County, New Mexico.	[22]	
G-13263-001, D, Oct. 27, 1987.	.....do.....	El Paso Natural Gas Company, Corsby-Devonian Field, Lea County, New Mexico.	[23]	

[1] Additional information received October 8, 1987.

[2] Notice of this application was previously published in the FEDERAL REGISTEER on September 24, 1986 (52 FR 35943). By letter dated October 6, 1987. Applicant requested three-year pregranted abandonment authorization.

[3] Applicant requests permanent abandonment of its sale of gas to Williston Basin. Applicant and Williston Basin have entered into an excess gas release agreement. Applicant also requests three-year limited-term pregranted abandonment. Deliverability is approximately 3,770 Mcf/d. The gas is NGPA section 104 1973-1974 biennium (41%) and section 106(a) (59%) gas.

[4] Applicant requests permanent abandonment of its sale of gas to Natural. The contract expired by its own terms in March 1986, and purchaser terminated the contract effective March 1, 1987. Applicant also requests pregranted abandonment for a period of three years for sales of released gas in interstate Commerce under its small producer certificate issued in Docket No. CS74-147. Deliverability is approximately 120 Mcf/d. The gas is NGPA section 108 gas.

[5] Applicant requests limited-term abandonment with pregranted abandonment of the released volumes for a period of two years. The current purchaser cannot purchase due to market constraints. Estimated deliverability is 450 Mcf/d. The gas is NGPA section 106(a) gas.

[6] Request from Williams Natural Gas Company to abandon dead wells in order for them to recover their above-ground facilities to prevent any accidents.

[7] No active leases remaining under Rate Schedule No. 700.

[8] Property sold 5-1-87, to Cities Service Oil & Gas Corporation.

[9] Sun assigned its interest in Property No. 615662, McClung #1 to Herbert D. Ashpaugh.

[10] Assignment of a part of Texaco Producing Inc.'s interest to Bill Fenn and Joe Fenn.

[11] The well OCS-G-3741 C-3 has been plugged and abandoned since May 1987, due to depletion.

[12] Wells were plugged and abandoned.

[13] The L.L. Manley #3 well has been plugged and abandoned.

[14] ARCO assigned certain acreage to Lyco Panhandle 1985 Limited Partnership and Lyco/MM Limited Partnership effective 3-1-86. Effective 10-1-86, ARCO assigned its remaining interest in lease numbers 42-341-000130-001, 42-341-00063-001 and 42-341-000063-002 to Keisling Farms Inc.

[15] By assignment dated 3-25-87 and effective 1-1-87, Exxon acquired certain acreage in the Hartzog Draw Unit, Campbell County, Wyoming, covered by Hancock Enterprises Small Producer Certificate in Docket No. CS76-965.

[16] Low volume.

[17] Wells no longer have sufficient pressure to produce economic gas volumes against CGT line pressure. Applicant wishes to sell to a local low pressure intrastate system.

[18] The lease covering West Cameron Block 135 expired on 10-1-87, 90 days after cessation of production from the West Cameron Block 135 A-6 Well.

[19] The available supply of natural gas from Block 377, Eugene Island Area is depleted to the extent that the continuance of service is unwarranted. The production of gas from Block 377, Eugene Island Area has ceased; the wells on such Block have been plugged and the leases have been released.

[20] The well pressure is too low to produce into Williams' pipeline. Williams will not allow compression equipment to be placed on the wells for aid in overcoming line pressure. Applicant states that the gas is NGPA section 108 gas.

[21] Production has ceased, reserves are depleted, and wells are currently being plugged.

[22] By assignment effective 3-1-86, ARCO assigned its interest in certain acreage to Amoco Production Company.

[23] By assignment effective 1-27-87, ARCO assigned its interest in certain acreage to Bill Fenn and Joe Fenn.

Filing Code: A—Initial Service. B—Abandonment. C—Amendment to add acreage. D—Amendment to delete acreage. E—Total Succession. F—Partial Succession.

[FR Doc. 87-25776 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CI88-50-000]

Anadarko Petroleum Corp.; Application

November 3, 1987.

Take notice that on October 23, 1987, Anadarko Petroleum Corporation (Applicant), of P.O. Box 1330, Houston, Texas 77251-1330, filed an application pursuant to 18 CFR 154.92(d), 154.94, and 157.23 *et seq.*, for a Certificate of Public Convenience and Necessity for authorization to continue sales of natural gas previously authorized by the Commission to be sold by various Parties, all as more fully shown on the attached Appendix. The sales were previously made by various parties under Small Producer Certificates in Docket Nos. CS71-158 and CS72-178 issued to Union National Bank of Wichita, Executor of the Estate of Walter F. Kuhn, deceased and The Stevens Oil and Gas Company, respectively.

By assignments effective October 1, 1985 and January 1, 1986, Applicant acquired certain interests in the wells listed on the attached Appendix all located in Kansas.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 18, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represent at the hearing.

Lois D. Cashell,

Acting Secretary.

Appendix

Purchaser	Location	Contract date (No.)
Colorado Interstate Gas Company.	Devlin 1-19 and 2-19 Wells, Finney County, KS.	5-19-60 (No. 1)
Do	Watkins A-1 Well, Haskell County, KS.	2-18-60 (No. 2)
Greeley Gas Company.	Curtis 1-A and 2-24 Wells, Stevens County, KS.	2-2-60 (No. 3)

Appendix—Continued

Purchaser	Location	Contract date (No.)
Do	Burnett 1-18 Well, Kearney County, KS.	11-18-55 (No. 4)
Do	Linder 1-5 Well, Kearney County, KS.	11-18-55 (No. 5)
Northern Natural Gas Company.	Young 1-17 Well, Seward County, KS.	8-23-48 (No. 6)
Williams Natural Gas Company.	Various Wells, Haskell, Kearney and Stanton Counties, KS.	6-23-50 (No. 7)
Panhandle Eastern Pipe Line Company.	Williams A-1, Beavers A-1, Eby A-1 and Morris 1-29 Wells, Stevens County, KS.	9-1-59 (No. 8)
Do	Various Wells, Morton and Stevens Counties, KS.	9-1-59 (No. 9)
Do	Do	9-1-59 (No. 10)
Panhandle Eastern Pipe Line Company.	Leierer 1-27 and Walker 1-24 Wells, Grant County, KS.	3-11-60 (No. 11)
Do	McGammon 1-12 Well, Morton County, KS.	9-20-60 (No. 12)
Do	Various Wells, Stevens and Morton Counties, KS.	12-6-60 (No. 13)
Do	Browne 1 and Brack 1 Wells, Seward County, KS.	12-19-60 (No. 14)
Do	Turner B-1, 1-19 and 3-19 and E.P. Lewis B-1 Wells, Morton County, KS.	11-1-57 (No. 15)

[FR Doc. 87-25770 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ES88-7-000]

Baltimore Gas and Electric Co.; Application

November 3, 1987.

Take notice that on October 26, 1987, Baltimore Gas and Electric Company filed an application with the Federal Energy Regulatory Commission seeking authority, pursuant to section 204 of the Federal Power Act, to issue not more than $425 million of short-term unsecured promissory notes and commercial paper with a final maturity no later than December 31, 1989.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before November 25, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any persons wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell

Acting Secretary.

[FR Doc. 87-25771 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CI88-59-000]

Conoco, Inc., et al.; Petition for Declaratory Order and Request for Expedited Consideration

November 3, 1987.

Take notice that on October 20, 1987, Conoco, Inc. (Conoco), Cities Service Oil and Gas Corporation (Cities), Texaco, Inc. (Texaco) and AGIP Petroleum Company (AGIP) filed with the Federal Energy Regulatory Commission (Commission) pursuant to § 385.207 of the Commission's regulations (Rule 207), a petition for a declaratory order. The petitioners wish the Commission to issue a declaratory order disclaiming Commission jurisdiction over certain natural gas facilities to be constructed in federal waters on the Outer Continental Shelf (OCS), Offshore Louisiana. Petitioners assert that the proposed pipelines are gathering facilities under section 1(b) of the Natural Gas Act (NGA), and therefore exempt from the certificate requirements of section 7(c) of the NGA. Further, petitioners request that this petition be given expedited consideration.

Petitioners state that, together with certain other producers, they are working interest owners in a fifteen block unit in the Green Canyon area. Petitioners aver that utilization of the unit, referred to as the Green Canyon 184 Unit (Unit), has been approved by the Minerals Management Service of the Department of the Interior. Petitioners propose to finance and construct a system that initially will be used to flow gas from platforms located on Green Canyon Blocks 52 and 184. Subsequent production from Green Canyon Blocks 10, 11, 141, 185 and 228 would flow through lateral lines to facilities proposed to move gas from Blocks 52 and 184. All of the gas from the Unit, and other gas volumes that may be gathered from outside the Unit, would be delivered to an interconnection with an interstate pipeline in federal offshore waters no more than twenty-three miles from the northern end of the Unit. Petitioners state that the identity of the interstate pipeline to which interconnection will be made is currently unknown inasmuch as negotiations are ongoing with several

different pipelines to purchase and/or transport the gas.

The petitioners contend that the system will be comprised of various diameter pipe of different lengths. In this regard, petitioners state that the diameter of pipe on the Unit will range in diameter between and sixteen inches. Different segments of pipe will vary in length between less than one hundred yards to as much as twenty-three miles.

Petitioners state that compression will occur on each platform in the Unit. Initially, the gas stream will be comprised entirely of casinghead gas. Casinghead gas is removed from the oil stream by lowering the pressure of the oil stream to a point that the gas flashes out of solution. The resulting low pressure of the gas must be increased to allow it to enter interstate pipeline facilities. Petitioners assert that such compression has previously been held by the Commission to be a production-related activity.

In addition to the compression of gas on each platform, mechanical separation and dehydration of the gas, as well as metering, will be conducted on each platform. Processing of the entire gas stream will be conducted at onshore processing facilities.

Finally, petitioners request expedited consideration of their petition. In this regard, petitioners state that the proposed system will utilize new technology, which will require consideration lead time for planning and acquisition of materials. Petitioners state that resolution of the jurisdictional status of the facilities will therefore directly affect the timing of the project. Additionally, petitioners state that a delay in resolving the jurisdictional status of the proposed gas facilities will adversely affect the production of oil on the Unit, which currently is expected to have a substantially greater value than gas production.

Any person desiring to be heard or to protest this declaratory order should file a motion to intervene or protest in accordance with Rules 241 or 211 of the Commission's rules of practice and procedure. All motions to intervene or protests should be submitted to the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, within 30 days after publication of this notice in the **Federal Register**. All protests will be considered by the Commisson but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intevene in accordance with Rule 214. Copies of the petition filed in this proceeding are on file with the Commission and available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87-25780 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ES88-9-000]

Consumers Power Co.; Application

November 3, 1987.

Take notice that on October 27, 1987, Consumers Power Company filed an application pursuant to section 204 of the Federal Power Act seeking authority to issue and sell, or guarantee up to $800,000,000 in secured and/or unsecured short-term debt including but not limited to, notes, drafts, debentures and commercial paper. The issuance, sale or guarantee of the secured and/or unsecured short-term debt would be from time to time, during the period January 2, 1988 through December 31, 1988, with maturities of 364 days or less.

Any person desiring to be heard or to protest said filing should file a motion to intervne or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NW., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before November 25, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any persons wishing to become a part must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87-25772 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER88-60-000]

Florida Power & Light Co.; Filing

November 3, 1987.

Take notice that on October 29, 1987, Florida Power & Light Company (FPL) tendered for filing a Stipulation and Agreement executed between FPL and its transmission service customers consisting of Florida Power Corporation, Tampa Electric Company, Jacksonville Electric Authority, Sebring Utilities Commission, Kissimmee Utility Authority and the municipal electric utilities of the Cities of Gainesville (Gainesville Regional Utilities), Lakeland, St. Cloud and Tallahassee, Florida (Transmission Customers). FPL states that the Stipulation and Agreement is intended to comply with the Commission's Order No. 475 in Docket No. RM87-4 with respect to the effects of the lower marginal federal income tax rate under the Tax Reform Act of 1986.

FPL proposes revised long term transmission service rates (service provided with a duration of more than seven days) to be effective on October 1, 1987. FPL has submitted with this filing amendments to each of the transmission service agreements pursuant to which FPL provides transmission service to these Transmission Customers.

FPL states that the filed Stipulation and Agreement represents an overall compromise in order to satisfy FERC Order 475 in Docket No. FM87-4, which order encourages settlement agreements which take into account the impact of the reduction in the federal corporate marginal income tax rate.

FPL states that copies of the filing were served upon the Transmission Customers and upon the Florida Public Service Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before November 17, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87-25778 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA88-1-45-000]

Inter-City Minnesota Pipelines, Limited, Inc.; Annual Purchased Gas Adjustment Filing

November 3, 1987.

Please take notice that on October 23, 1987, Inter-City Minnesota Pipelines Ltd. Inc. (Inter-City), tendered for filing Thirtieth Revised Sheet No. 4, Sixth Revised Sheet No. 61 to original Volume

No. 1 of Inter-City's FERC Gas Tariff. Inter-City also tendered Fifth Revised Sheet Nos. 11 and 12 to Original Volume No. 2 of its Gas Tariff. Inter-City has requested an effective date of November 1, 1987 for the rates set out therein.

In its application Inter-City states that this filing represents Inter-City's annual PGA reconciliation. The proposed tariff sheets also effect the income tax reduction required by its settlement in Docket No. RP85–152 and creates a two-part rate for its Western Zone reflective of two-part billings for gas purchased in that zone.

Inter-City states that on September 4, 1986, it requested a waiver of the filing date and 30-day notice period for this filing; Inter-City states that it is aware of no other waiver of the Commission's regulations that would be required to effect this tariff change but requests such waivers as the Commission may deem necessary to that end.

The company states that a copy of its application has been served on all customers of Inter-City and on the Minnesota Public Service Commission.

Any person desiring to be heard or to make any protest with reference to said PGA filing should on or before November 10, 1987 file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party therein must file a motion to intervene in accordance with the Commission's Rules.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87–25773 Filed 11–5–87; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CI88–53–000]

LOUTEX Energy Inc.; Application

November 3, 1987.

Take notice that on October 23, 1987, LOUTEX Energy Inc. (LOUTEX), 334 Carondelet Street, 4th Floor, New Orleans, LA 70130 filed in this proceeding an application pursuant to Sections 4 and 7 of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations, requesting blanket certificate authorization for (1) self-implementing sales for resale of certain natural gas in interstate commerce, without market restriction by LOUTEX; (2) self-implementing sales of certain natural gas by others to LOUTEX for resale in interstate commerce, without market restriction; and (3) self-implementing sales for resale of certain natural gas in interstate commerce, without market restriction, by producers through LOUTEX acting as their agent. LOUTEX also seeks pre-granted abandonment of all sales for resale for which sales certificate authority is sought herein.

LOUTEX states that the purpose of its application is to enable LOUTEX to make sales in interstate commerce for resale of gas which is available for sale to new markets, but is still subject to the certificate and abandonment provisions of the Natural Gas Act. Finally, LOUTEX requests that the Commission declare in its order issuing the authorizations that the Commission's NGA jurisdiction over the activities and operations of LOUTEX is limited to the transactions for which authorization is sought in the Application.

Any person desiring to be heard or to make any protest with reference to said filing should on or before November 17, 1987, file with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any conference or hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87–25765 Filed 11–5–87; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER88–59–000]

Mississippi Power Co.; Filing

November 3, 1987.

Take notice that on October 29, 1987, Mississippi Power Company (MPC) tendered for filing a rate change relating to federal corporate income tax rate for public utilities.

The subject rate change will reduce MPC's demand charge to MPC's four wholesale customers by $.57 per kw.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before November 17, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87–25779 Filed 11–5–87; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CI86–514–001 and Docket No. CI88–57–000]

Mobil Oil Exploration & Producing Southeast Inc. et al.; Application

November 3, 1987.

Take notice that on October 26, 1987, Mobil Oil Exploration & Producing Southeast Inc. (MOEPSI), petitioned for amendment to its existing blanket limited term certificate, and Mobil Producing Texas & New Mexico Inc. (MPTM) and Mobil Exploration and Producing North America Inc. (MEPNA), filed an application for limited-term blanket authorization, both seeking to sell on the open market natural gas produced from Applicant's interest in any gas reserves not previously committed to a sale for resale in interstate commerce. Applicants also request an order for pregranted abandonment of any sales made pursuant to the authority above. Applicants additionally request waiver of any filing and reporting requirements which may be inconsistent with the authority sought under the above application, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

In the application, Applicants allege that they have been unable to enter into any long-term contracts for the sale of natural gas from their interest in the uncommitted gas reserves. This gas qualifies as NGPA Section 102(d) or 109 gas.

MOEPSI requests that its limited-term blanket certificate with pregranted abandonment for a specific source of uncommitted gas issued in Docket No. CI86–514 be amended to include any source of uncommitted gas effective for a term of one term. MPTM and MEPNA

request issuance of a blanket certificate with pregranted abandonment for the sale of their uncommitted gas. Applicants state that the gas in question would be sold in the market at competitive, market-sensitive prices, not to exceed the applicable maximum lawful price. Waiver of filing and reporting requirements inconsistent with this limited-term authority and pregranted abandonment is sought in order to make sales possible under said authority. Applicants assert the application is consistent with prior precedents, with the Commission's goals as enunciated in Order No. 436 et al., and is in the public interest.

Any person desiring to be heard or protest said application should on or before November 18, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceding. Any person wishing to become a party to a proceeding must file a motion to intervene in accordance with the Commission's Rules.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87-25766 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CI88-58-000 and CI88-67-000]

Newmont Oil Co.; Application for Permanent Abandonment and Blanket Limited-Term Certificate of Public Convenience and Necessity With Pregranted Abandonment

November 3, 1987.

Take notice that on October 26, 1987, Newmont Oil Company (Newmont), 600 Jefferson, 9th Floor, Houston, Texas, 77002, filed applications pursuant to sections 4 and 7 of the Natural Gas Act (NGA) and the provisions of 18 CFR Parts 154 and 157 and 18 CFR 2.77 (a)(2) seeking (i) permanent abandonment in Docket No CI88-67-000 of its sales of gas to Sea Robin Pipeline Company (Sea Robin) from E. Cameron Block 231, Offshore Louisiana, and (ii) a blanket limited-term certificate of public convenience and necessity in Docket No. CI88-58-000 authorizing the sale for resale in interstate commerce of the released gas with pregranted abandonment for a term from January 1, 1988, through December 31, 1990, as more fully described in the applications which are on file with the Commission and open for public inspection.

In support of its applications Newmont states that Sea Robin and Newmont have entered into an Agreement of Settlement and Release effective September 22, 1987. Such agreement provides for a one time single lump sum payment for prior year's take-or-pay, access by Newmont to Sea Robin's pipeline system at certain rates agreed to by Newmont and Sea Robin and cancellation of the subject July 1, 1977, contract. Newmont's share of production from the block is 3,320 Mcf/day. The gas is NGPA section 104 post 1974 gas (50%) and 102(d) gas (50%).

Certain sales proposed to be made by Newmont will not involve a dedication of reserves but will be based on periodic nominations, either by purchasers or by Newmont. The sales volumes, prices, purchasers, delivery points , and supply source will vary. Newmont proposes to sell and deliver to various short-term and spot gas purchasers all or a portion of the gas Newmont determines is available for sale at terms acceptable to Newmont for a particular time frame. Newmont will not be obligated to sell gas pursuant to any nomination or proposed nomination until the exact volumes, terms and conditions, and prices are agreed to by Newmont and a purchaser. The actual contract between Newmont and the short-term and spot gas purchaser may be for all or any portion of the quantity which was set out in the nomination or proposed nomination. Further, Newmont proposes to make sales on a best efforts basis where the price and term are agreed upon but there is no requirement on the purchaser or Newmont to sell a specific volume.

Newmont requests that its applications be considerd on an expedited basis under procedures established by Order No. 436, Docket No. RM85-1-000, at 18 CFR 2.77,[1] Newmont also requests waiver of certain of the Commission's regulations, including those in Part 154 relating to the filing and maintenance of rate schedules.

Since Newmont has requested that its applications be considered on an expedited basis, all as more fully described in the applications which are on file with the Commission and open to public inspection, any person desiring to be heard or to make any protest with reference to said applications should on or before 15 days after the date of publication of this notice in the Federal Register, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to be proceedings. Any person wishing to become a party to the proceedings herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Newmont to appear or to be represented at the hearing.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87-25781, Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[1] The United States Court of Appeals for the District of Columbia vacated the Commission's Order No. 436 on June 23, 1987. In vacating Order No. 436, the Court rejected challenges to the Commission's statement of policy in § 2.77 of its Regulations. Section 2.77 states that the Commission will consider on an expedited basis applications for certificate and abandonment authority where the producers assert they are subject to substantially reduced takes without payment or where the parties have entered into a take-or-pay buy-out pursuant to § 2.76.

[Docket No. CI87-902-000]

Petroleum Square Marketing Inc., Application

November 3, 1987.

Take notice that on October 21 1987, Petroleum Square Marketing, Inc. (Applicant), of P.O. Box 7665, Shreveport, Louisiana 71137-7665 filed an application pursuant to sections 4 and 7 of the Natural Gas Act (NGA) and Part 157 of the Federal Energy Regulatory Commission's regulations for a Certificate of Public Convenience and Necessity authorizing purchases and sales of natural gas in interstate commerce and for pregranted abandonment of all sales for which certificate authority is sought. Applicant also requests waiver of the Commission's regulations under Parts 154 and 271. Applicant is seeking such authorizations for gas released under permanent or limited term abandonment authorizations, gas released pursuant to Order Nos. 451 and 451-A and other natural gas subject to the Commission's jurisdiction which is not required by

certificate to be delivered to another purchaser.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 18, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87-25767 Filed 11-5-87; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. CI62-1251-010, et al]

Samson Resources Co.; Application

November 3, 1987.

Take notice that on October 26, 1987, Samson Resources Company (Applicant), of Two West Second Street, Tulsa, Oklahoma 74103, filed an application, pursuant to section 7(c) of the Natural Gas Act and § 157.23 *et seq.*, of the Federal Energy Regulatory Commission's regulations for a Certificate of Public Convenience and Necessity as successorin-interest to Sun Exploration & Production Company authorizing Applicant to continue to render service previously authorized by the Commission under Sun Exploration & Production Company's certificates of public convenience and necessity issued in the dockets listed on attached Exhibit "A". Samson Resources Company also requests redesignation of the related rate schedules previously held by Sun Exploration & Production Company as the rate schedules of Samson Resources Company. This application is on file with the Commission and open to public inspection.

Effective March 1, 1987 and April 1, 1987, Sun Exploration & Production Company assigned its interest in certain properties to Samson Resources Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 18, 1987, file with the Federal Energy Rgulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Lois D. Cashell,

Acting Secretary.

EXHIBIT A.—RESPONDENT NAME & CODE: SAMSON RESOURCES COMPANY 016599

Docket Nos.	Rate schedule No.	Purchaser name	NGA base rate	Applicable NGPA rate	Effective date of rate establishment
1. CI 62-1251-008	627	Arkla	.976	.976	April, 1987.
2. CI 75-429	562	Arkla	1.694	1.694	March, 1987.
3. CI 62-1251	627	Arkla	.975	.975	March, 1987.
4. CI 73-55-000	716	Arkla	.328	.328	April, 1987.

Location of sale in order of above:
1. Wilburton Field, Latimer County, Oklahoma.
2. Kinta Field, Latimer County, Oklahoma.
3. Kinta Field, Haskell County, Oklahoma.
4. West Wilburton Field, Pittsburg County, Oklahoma.

Date of Contract in order of above:
1. December 28, 1984.
2. December 28, 1984.
3. December 28, 1984.
4. June 7, 1972.

Effective date of transfer of ownership in order of above:
1. April 1, 1987.
2. March 1, 1987.
3. March 1, 1987.
4. April 1, 1987.

[FR Doc. 87-25768 Filed 11-5-87; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. RP87-107-001]

Texas Gas Transmission Corp.; Filing of Revised Tariff Sheets

November 3, 1987.

Take notice that on October 23, 1987, Texas Gas Transmission Corporation (Texas Gas) tendered for filing Substitute First Revised Sheet Nos. 117 and 118 to its FERC Gas Tariff, Original Volume No. 1, and Substitute First Revised Sheet No. 440, Fifth Revised Sheet No. 558, Second Revised Sheet No. 559, Third Revised Sheet No. 591, and Second Revised Sheet No. 1068 to its FPC Gas Traff, Original Volume No. 2.

Texas Gas states that the revised tariff sheets are being filed to make the necessary adjustments to section 25.1 of the General Terms and Conditions of Texas Gas's tariff to reflect the conforming amendments to § 154.38(d)(6) of the Commission's Regulations arising out of Order No. 472-B issued September 16, 1987 [52 FR 36013 (September 25, 1987) 40 FERC Para. 62,393], and also as directed by the "Order of the Director Accepting Annual Charge Adjustments" in Algonquin Gas Transmission Company, *et al.*, in Docket No. RP87-109, *et al.*, issued September 29, 1987.

Copies of the letter of transmittal are being served on Texas Gas's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NW., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of

Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before November 10, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any persons wishing to become a part must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87-25774 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CI82-404-003 et al.]

TXP Operating Co.; Application

November 3, 1987.

Take notice that on October 23, 1987, TXP Operating Company (TXPO) of P.O. Box 1396, Houston, Texas 77251, filed an application pursuant to section 7 of the Natural Gas Act and § 157.23 *et seq.* of the Federal Energy Regulatory Commission's regulations for a Certificate of Public Convenience and Necessity as successor-in-interest to Shell Offshore Inc. (Shell), to render natural gas service previously authorized by the Commission from the properties covered by Shell's certificates of public convenience and necessity issued in the dockets listed on attached Exhibit "A". TXPO also requests redesignation of the related rate schedules previously held by Shell and that TXPO be substituted for Shell in any proceedings related to the dockets listed on the attached Exhibit "A" pending before the Commission. This application is on file with the Commission and open to public inspection.

Effective as of November 1, 1986, Shell Offshore Inc. assigned its interest in certain properties to TXP Operating Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 18, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Lois D. Cashell,

Acting Secretary.

Exhibit A

Field/State	Rate schedule No.	Certificate docket No.	Purchaser
East Cameron Block 336, Offshore, LA.	83	CI82-404	Texas Eastern Transmission Corp.
Vermilion Block 310, Offshore, LA.	85	CI83-33	Transcontinental Gas Pipe Line Corp.

[FR Doc. 87-25769 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP87-91-002]

Williams Natural Gas Co.; Proposed Changes in FERC Gas Tariff

November 3, 1987.

Take notice that Williams Natural Gas Company (WNG) on October 22, 1987, tendered for filing Alternate Substitute Second Revised Sheet No. 6, Alternate First Revised Sheet No. 90 and Revised First Revised Sheet No. 91 to its FERC Gas Tariff, Original Volume No. 1. These tariff sheets are being filed to supplement the compliance filing made October 8, 1987 in Docket No. RP87-91-000.

WNG requests that if WNG is allowed to remove the incremental pricing provision from its tariff in Docket No. TA88-1-43, that the Commission accept Alternate Substitute Second Revised Sheet No. 6, Alternate First Revised Sheet No. 90 and Revised First Revised Sheet No. 91 to be effective October 1, 1987 in lieu of Substitute Second Revised Sheet No. 6 and Revised Original Sheet No. 97. Alternate First Revised Sheet No. 90 renumbers the ACA provision to Article 24 in the event the incremental pricing provision is removed. Alternate Substitute Second Revised Sheet No. 6 changes the Article number for FERC Annual Charge Adjustment from 25 to 24. Revised First Revised Sheet No. 91 removes incremental pricing language from the tariff.

WNG states that copies of its filing were served on all jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with §§ 385.211 and 385.214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before November 10, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 87-25775 Filed 11-5-87; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-3298-2]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared October 19, 1987 through October 23, 1987 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 382-5075/76. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the **Federal Register** dated April 24, 1987 (52 FR 13749).

Draft EISs

ERP No. D-FHW-E40708-NC, Rating EC2, NC-90 Replacement, NC-90 at Taylorsville to I-40 at Statesville, Funding, 404 Permit, Alexander and Tredell Counties, NC. **SUMMARY:** EPA is concerned with predicted noise impacts and the absence of proposed mitigation. Reconsideration of noise abatement was therefore recommended. Additional review of possible wetland areas was also requested.

Final EISs

ERP No. F-OSM-E01008-TN, North Chickamauga Creek Watershed, Designation of Land Unsuitable for Surface Coal Mining Operations,

Hamilton County, TN. **SUMMARY:** EPA continues to have environmental objections to the finding of the EIS that the petition area not be designated as unsuitable for surface coal mining. EPA recommended that this decision be reconsidered by OSM.

Dated: November 3, 1987.

Barbara Bassuener,

Acting Director, Office of Federal Activities.

[FR Doc. 87-25792 Filed 11-5-87; 8:45 am]

BILLING CODE 6560-50-M

[ER-FRL-3288-1]

Environmental Impact Statements Filed October 26 Through October 30, 1987; Availability

Responsible Agency

Office of Federal Activities, General Information (202) 382-5073 or (202) 382-5075.

EIS No. 870382, Final, COE, TN, Mill Creek Basin Flood Damage Reduction Plan, Mill and Sevenmile Creeks, Dry Dam Construction, Implementation, Davidson and Williamson Counties, Due: December 7, 1987, Contact: Patricia Coffey (615) 736-5068.

EIS No. 870383, final COE, TX, Trinity River and Tributaries Flood Plain Development Project, Implementation, Issuance of Permits, Dallas, Denton and Tarrant Counties, Due: December 11, 1987, Contact: Rebecca Griffith (817) 334-2095.

EIS No. 870384, Draft, FHW, VA, VA-664 Construction, US 58 Interchange at Bowers Hill in the City of Chesapeake to US 17 in the City of Suffolk, Funding, section 10 and 404 Permit, Due: December 21, 1987, Contact: James Tumlin (804) 771-2371.

EIS No. 870385, Final, COE, LA, Lake Pontchartrain and Lake Maurepas Clam Shell Dredging, 10-Year Permit Renewal, section 10 and 404 Permit, Livingston, Jefferson and St. Charles Parishes, Due: December 7, 1987, Contact: Laura Swilley (504) 862-2272.

EIS No. 870386, Final, COE, LA, Atchafalaya, East Cote Blanche and Four League Bays, Oyster Shell Dredging Operation, section 10 and 404 Permit, Iberia, St. Mary, Terrebonne and Vermilion Parishes, Due: December 7, 1987, Contact: Laura Swilley (504) 862-2272.

EIS No. 870387, Final, AFS, AZ, Apache-Sitgreaves National Forest, Land and Resource Management Plan, Implementation, Apache, Coconino, Greenlee and Navajo Counties, Due: December 7, 1987, Contact: Nick McDonough (602) 333-4301.

EIS No. 870388, Draft, AFS, NC, TN, Nolichucky Gore Segment, Wild and Scenic River Study, Eligibility and Suitability, National Wild and Scenic Rivers System, Nondesignation or Designation, Nolichucky River, Pisgah National Forest, Mitchell and Yancey Counties, NC and Cherokee National Forest, Unicol County, TN, Due: January 28, 1987, Contact: David Hammond (704) 257-4253.

EIS No. 870389, Final, AFS, MT, Helena National Forest, Noxious Weed Control Program, Implementation, Broadwater, Lewis and Clark, Jefferson, Meagher and Powell Counties, Due: December 7, 1987, Contact: W. John Padden (406) 449-5201.

Amended Notice

EIS No. 870365, Draft, BLM, OR, Brothers/La Pine Planning Area, Resource Management Plan, Due: January 15, 1987, Published FR 10-23-87—Review period extended.

Dated: November 3, 1987.

Richard E. Sanderson,

Director, Office of Federal Activities.

[FR Doc. 87-25791 Filed 11-6-87; 8:45 am]

BILLING CODE 6560-50-M

[OPTS-59838; FRL-3286-7]

Toxic Substances; Certain Chemicals Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in EPA statements of the final rule published in the *Federal Register* of May 13, 1983 (48 FR 21722). In the *Federal Register* of November 11, 1984. (49 FR 46066) (40 CFR 723.250), EPA published a rule which granted a limited exemption from certain PMN requirements for certain types of polymers. PMNs for such polymers are reviewed by EPA within 21 days of receipt. This notice announces receipt of sixteen such PMNs and provides a summary of each.

DATES: Close of Review Period:

Y 88-17—November 5, 1987.

Y 88-18 and 88-19—November 8, 1987.

Y 88-20, 88-21, 88-22, 88-23 and 88-24—November 9, 1987.

Y 88-25, 88-26, 88-27, 88-28, 88-29, 88-30 and 88-31—November 10, 1987.

Y 88-32—November 11, 1987.

FOR FURTHER INFORMATION CONTACT: Stephanie Roan, Premanufacture Notice Management Branch, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Room E-611, 401 M Street SW., Washington, DC 20460, (202) 382-3725.

SUPPLEMENTARY INFORMATION: the following notice contains information extracted from the non-confidential version of the submission by the manufacturer on the exemption received by EPA. The complete non-confidential document is available in the Public Reading Room NE-G004 at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

Y 88-17

Manufacturer. Confidential.
Chemical. (G) Modified acrylate terpolymer.
Use/Production. (G) Thickner for aqueous mixtures and nondispersive use. Prod. range: Confidential.

Y 88-18

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
Use/Production. (S) Industrial and commercial medium oil alkyd resin for use in architectural coatings. Prod. range: 228,000 to 1,295,676 kg/yr.

Y 88-19

Manufacturer. Confidential.
Chemical. (G) Polyester.
Use/Production. (G) Polyester used in the textile industry. Prod. range: Confidential.

Y 88-20

Manufacturer. Confidential.
Chemical. (G) Acrylate copolymer.
Use/Production. (G) Binder for unlike structures. Prod. range: Confidential.

Y 88-21

Manufacturer. Milliken Chemical.
Chemical. (G) Substituted phenylpolyoxyalkylene.
Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

Y 88-22

Manufacturer. Milliken Chemical.
Chemical. (G) Substituted phenylpolyoxyalkylene.
Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

Y 88-23

Manufacturer. Confidential.
Chemical. (G) Trisubstituted naphthol-azo-carbocyclepolyoxyalkylene.

Use/Production. (G) Open, non-dispersive use. Prod. range: Confidential.

Y 88-24

Manufacturer. Milliken Chemical.
Chemical. (G) Disubstituted naphthol-azo-carbocyclepolyoxyalkylene.
Use/Production. (G) Open, non-dispersive use. Prod. range: Confidential.

Y 88-25

Manufacturer. Federal Register Confidential.
Chemical. (G) Alkyd copolymer resin.
Use/Production. (S) Industrial and commercial use in fast dry coatings. Prod. range: 222,273 to 500,000 kg/yr.

Y 88-26

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
Use/Production. (S) Industrial plasticizing resin for nitrocellulose. Prod. range: 8,440 to 16,880 kg/yr.

Y 88-27

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
Use/Production. (S) Vehicle for making printing ink. Prod. range: 2,500 to 5,000 kg/yr.

Y 88-28

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
Use/Production. (S) Consumer a plasticizing resin used to make polyester resin and/or nitrocellulose lacquer more flexible. Prod. range: 15,100 to 30,200 kg/yr.

Y 88-29

Manufacturer. Confidential.
Chemical. (G) Styrene acrylic solution.
Use/Production. (G) Industrial maintenance coatings. Prod. range: Confidential.

Y 88-30

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
Use/Production. (S) Industrial for modifying nitrocellulose resins. Prod. range: 8,291 to 16,582 kg/yr.

Y 88-31

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
Use/Production. (S) Industrial vehicle for making printing ink. Prod. range: 4,420 to 8,840 kg/yr.

Y 88-32

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
Use/Production. (S) Industrial and commerical water reducible alky resin used in architecural paints and varnishes. Prod. range: 90,000 to 150,000 kg/yr.

Date: October 26, 1987.

Denise Devoe,

Acting Director, Information Management Division, Office of Toxic Substances.

[FR Doc. 87-25384 Filed 11-5-87; 8:45 am]
BILLING CODE 6560-50-M

[OPTS-51699; FRL-3286-6]

Toxic Substances; Certain Chemicals Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for secton 5(a)(1) premanufacture notices are discussed in the final rule published in the **Federal Register** of May 13, 1983 (48 FR 21722). This notice announces receipt of thirty-eight such PMNs and provides a summary of each.

DATES: Close of Review Period:

P 88-96, 88-97, 88-98, 88-99 and 88-100—January 13, 1988.
P 88-101, 88-102, 88-103, 88-104, 88-105, 88-106, 88-107, 88-108, 88-109, 88-110, 88-111, 88-112, 88-113 and 88-114—January 16, 1988.
P 88-115, 88-116, 88-117, 88-118, 88-119, 88-120, 88-121, and 88-122—January 17, 1988.
P 88-123, 88-124, 88-125, 88-126 and 88-127—January 18, 1988.
P 88-128, 88-129, 88-130, 88-131, 88-132 and 88-133—January 19, 1988.

Written comments by:

P 88-96, 88-97, 88-98, 88-99 and 88-100—December 14, 1987.
P 88-101, 88-102, 88-103, 88-104, 88-105, 88-106, 88-107, 88-108, 88-109, 88-110, 88-111, 88-112, 88-113 and 88-114—December 17, 1987.
P 88-115, 88-116, 88-117, 88-118, 88-119, 88-120, 87-121 and 88-122—December 18, 1987.
P 88-123, 88-124, 88-125, 88-126 and 88-127—December 19, 1987.
P 88-128, 88-129, 88-130, 88-131, 88-132 and 88-133—December 20, 1987.

ADDRESS: Written comments, identified by the document control number "[OPTS-51699]" and the specific PMN number should be sent to: Document Processing Center (TS-790), Office of Toxic Substances, Environmental Protection Agency, Rm. L-100, 401 M Street SW., Washington, DC 20460, (202) 554-1305.

FOR FURTHER INFORMATION CONTACT: Stephanie Roan, Premanufacture Notice Management Branch, Chemical Contol Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, room E-611, 401 M Street SW., Washington, D.C. 20460 (202) 382-3725.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the non-confidential version of the PMNs received by EPA. The complete non-confidential PMNs are available in the Public Reading Room NE-G004 at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

P 88-96

Manufacturer. Confidential.
Chemical. (G) Modified acrylate terpolymer.
Use/Production. (G) Thickner for aqueous mixtures non-dispersive use. Prod. range: Confidential.

P 88-97

Manufacturer. Alox Corporation.
Chemical (G) Aliphatic ester.
Use/Production. (S) Industrial, commercial and consumer multi purpose rust preventive. Prod range: Confidential.

P 88-98

Manufacturer. Confidential.
Chemical. (G) Polyamide-olefin graft copolymer.
Use/Production. (G) Low modulus polyamide. Prod. range: Confidential.

P 88-99

Manufacturer. Polymer Industries Incorporated.
Chemical. (S) Adipic acid, 1,4 butane diol, neopentyl glycol, dibromoneopentyl glycol and tetrabutyl titanate.
Use/Production. (S) Commercial reactive polyol in urethane blends. Prod. range: 909,091 to 1,363,636 kg/yr.

P 88-100

Manufacturer. Alco Chemical Corporation.
Chemical. (G) Sodium ployacrylate acrylate copolymer salt and venylic copolymer.
Use/Production. (G) Thickening compound for aqueous system. Prod. range: Confidential.

P 88-101

Manufacturer. Milliken Chemical.
Chemical. (G) Ether substituted polyoxypropylene.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 88–102

Manufacturer. Milliken Chemical.
Chemical. (G) Aminated ether substituted polyoxy propylene.
Use/Production. (G) Chemical intermediate—destructive use. Prod. range: Confidential.

P 88–103

Manufacturer. Milliken Chemical.
Chemical. (G) Chromophore substituted polyoxypropylene.
Use/Production. (G) Colorant. Prod. range: Confidential.

P 88–104

Manufacturer. Polymer Industries Incorporated.
Chemical. (S) Adipic acid, polyethylene terephthalate, dipropylene glycol, pentaerythritol and tetrabutyl titanate.
Use/Production. (S) Reactive polyol in urethane blends. Prod. range: 909,091 kg/yr.

P 88–105

Manufacturer. Polymer Industries Incorporated.
Chemical. (S) Adipic acid, triethylene glycol tetraethylene glycol and tetrabutyl titanate.
Use/Production. (S) Commercial reactive polyol in urethane blends. Prod. range: 909,092 kg/yr.

P 88–106

Manufacturer. Confidential.
Chemical. (G) Alkyd resin intermediate.
Use/Production. (G) Reactive intermediate. Prod. range: Confidential.

P 88–107

Manufacturer. Confidential.
Chemical. (G) A Copolymer alkyd resin.
Use/Production. (G) A copolymer alkyd resin to be used in an open, non-dispersive manner. Prod. range: Confidential.

P 88–108

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (G) Modified organo silicone.
Use/Import. (S) Industrial varnish for heat resistant paint and electrical insulation or moisture-proof coating. Import range: 2,000 to 3,000 kg/yr.

P 88–109

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (G) Organosiloxane.
Use/Import. (S) Industrial ingredient for silicone rubber compounds. Import range: 300 to 800 kg/yr.

P 88–110

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (G) Acyloxy modified organopolysiloxane.
Use/Import. (S) Industrial ingredient for silicone resin. Import range: 100 to 500 kg/yr.

P 88–111

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (G) Organopolysiloxane.
Use/Import. (S) Industrial textile finishing agents, additives for plastics or resins and coating. Import range: 1,000 to 2,000 kg/yr.

P 88–112

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (G) Organopolysiloxane.
Use/Import. (S) Industrial ingredients for silicone rubber compounds. Import range: 300 to 800 kg/yr.

P 88–113

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (S) Dimethyl cyclosiloxane, methylvinyl cyclosiloxane and hexavinyl disiloxane.
Use/Import. (S) Industrial ingredient for silicone coating agents and silicone rubber compounds. Import range: 2,000 to 5,000 kg/yr.

P 88–114

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (S) Dimethyl cyclosiloxane, 1,1,3,3-tetramethyl-1,3-bis(3-aminopropyl)disiloxane.
Use/Import. (S) Industrial textile finishing agents, additive for plastics and resins or rubbers. Import range: 300 to 500 kg/yr.

P 88–115

Importer. Hoechst Celanese Corporation.
Chemical. (G) Perfluoroalkenyltrialkylammonium salt.
Use/Import. (G) Emusifier for textile chemical. Import range: Confidential.
Toxicity Data. Acute oral: > 2,000 mg/kg; Irritation: Skin—Non-irritant, Eye—Non-irritant; LC_{50} 96 hr (Zebra fish): > 500 mg/1.

P 88–116

Manufacturer. Confidential.
Chemical. (G) Aliphatic alicyclic polyester.
Use/Production. (G) Industrial chemical intermediate. Prod. range: 35,000 to 70,000 kg/yr.

P 88–117

Manufacturer. Confidential.
Chemical. (G) Modified aliphatic alicyclic polyester.
Use/Production. (G) Industrial specialty polymer material. Prod. range: 36,000 to 72,000 kg/yr.

P 88–118

Manufacturer. Confidential.
Chemical. (G) Modified polyester polymer.
Use/Production. (G) Industrial chemical intermediate. Prod. range: 35,000 to 70,000 kg/yr.

P 88–119

Manufacturer. Confidential.
Chemical. (G) Carbopolycyclic methyl ammoniumpolycycle chloride.
Use/Production. (G) Industrial additive for oil well treatment chemical (contained use). Prod. range: Confidential.

P 88–120

Manufacturer. Confidential.
Chemical. (G) Modified alicyclic aliphatic polyester.
Use/Production. (G) Speciality polymeric material. Prod. range: 36,000 to 72,000 kg/yr.

P 88–121

Manufacturer. Confidential.
Chemical. (S) Styrene modified soybean oil, linseed oil, glycerine, chlorendic and anhydride alkyd resin.
Use/Production. (S) Industrial, commercial and consumer component of a coating to be applied to various articles of commerce. Prod. range: 400,000 to 800,000 kg/yr.

P 88–122

Importer. Confidential.
Chemical. (G) Alkalibusulfite polymer with an alkylaldehyde and a substituted phenol.
Use/Import. (S) Leather tanning agent. Import range: Confidential.

P 88–123

Manufacturer. The Dow Chemical Company.
Chemical. (G) Reactive polymeric surfactant.
Use/Production. (G) Industrial membrane manufacture. Prod. range: Confidential.

P 88–124

Manufacturer. Confidential.
Chemical. (G) Alkyl substituted cyclic amine.

Use/Production. (G) Chlorine extender. Prod. range: Confidential.

P 88–125

Importer. Confidential.
Chemical. (S) Polyethylene glycol, bisphenol A, dipropoxylated bisphenol A, epoxy resin, adipic acid and tetrahydrophthatic anhydride.
Use/Import. (G) Industrial open, non-dispersive use. Import range: Confidential.

P 88–126

Importer. Confidential.
Chemical. (S) Neopentyl glycol, 1,6-hexanediol 1,4 butane diol polymer of propylene and ethylene oxide adipic acid isophorone diisocyante and hydrazin.
Use/Import. (G) Industrial open, non-dispersive use. Import range: Confidential.

P 88–127

Manufacturer. Confidential.
Chemical. (G) Hydroxy functional acrylate methacrylate.
Use/Production. (G) Industrial polymer having a dispersive use. Prod. range: 50,000 to 500,000 kg/yr.

P 88–128

Manufacturer. Confidential.
Chemical. (S) 4-Chloro-3-nitrobenzaldehyde.
Use/Production. (G) Site-limited chemical intermediate. Prod. range: 300 to 2,300 kg/yr.

P 88–129

Manufacturer. Confidential.
Chemical. (G) Substituted phenylamino substituted carbopolycycle sulfonic acid, salt.
Use/Production. (G) Industrial open, non-dispersive use. Prod range: Confidential.

P 88–130

Manufacturer. Confidential.
Chemical. (G) Disubstituted triazinylamino sulfophenyl substituted heteromonocyclic disubstituted benzenesulfonic acid.
Use/Production. (G) Open, non-dispersive use. Prod. range: Confidential.

P 88–131

Importer. Confidential.
Chemical. (G) Salt of poly hydroxy styrene with tertiary aromatic amine.
Use/Import. (G) Industrial adhesive curing catalyst. Import range: Confidential.
Toxicity Data. Acute oral: <5,000 mg/kg; Irritation: Skin—Non-irritant, Eye—Non-irritant.

P 88–132

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (S) Ethenyl tris[(1-methylethenyl)]silane.
Use/Import. (S) Industrial crosslinking agent for one component silicone RTV rubber compounds. Import range: 100 to 1,000 kg/yr.
Toxicity Data. Acute oral: <20 mg/kg.

P 88–133

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (S) Tris[(1-methylethenyl)oxy]phenyl silane.
Use/Import. (S) Industrial crosslinking agent for one-component silicone RTV rubber. Import range: 100 to 1,000 kg/yr.
Toxicity Data. Acute oral: 5 mg/kg; Ames test: Non-mutagenic.

Date October 26, 1987.

Denise Devoe,
Acting Director, Information Management Division, Office of Toxic Substances.

[FR Doc. 87–25385 Filed 11–5–87; 8:45 am]
BILLING CODE 6560–50–M

[OPTS–51700; FRL–3288–6]

Toxic Substances; Certain Chemicals Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in the final rule published in the **Federal Register** of May 13, 1983 (48 FR 21722). This notice announces receipt of thirty-eight such PMNs and provides a summary of each.

DATES: Close of Review Period:

P 88–134, 88–135, 88–136, 88–137, 88–138, 88–139, 88–140, 88–141 and 88–142—Janary 20, 1988.
P 88–143, 88–144, 88–145, 88–146, 88–147, 88–148, 88–149, 88–150, 88–151, 88–152 and 88–153—January 23, 1988.
P 88–154, 88–155, 88–156, 88–157, 88–158, 88–159, 88–160, 88–161, 88–162, 88–163 and 88–164—January 24, 1988.
P 88–165 and 88–166—January 25, 1988.
P 88–167, 88–168, 88–169, 88–170 and 88–171—January 26, 1988.

Written comments by:

P 88–134, 88–135, 88–136, 88–137, 88–138, 88–139, 88–140, 88–141 and 88–142—December 21, 1987.
P 88–143, 88–144, 88–145, 88–146, 88–147, 88–148, 88–149, 88–150, 88–151, 88–152 and 88–153—December 24, 1987.
P 88–154, 88–155, 88–156, 88–157, 88–158, 88–159, 88–160, 88–161, 88–162, 88–163 and 88–164—December 25, 1987.
P 88–165 and 88–166—December 26, 1987.
P 88–167, 88–168, 88–169, 88–170 and 88–171—December 27, 1987.

ADDRESS: Written comments, identified by the document control number "[OPTS–51700]" and the specific PMN number should be sent to: Document Processing Center (TS–790), Office of Toxic Substances, Environmental Protection Agency, Rm. L–100, 401 M Street, SW., Washington, DC 20460, (202) 554–1305.

FOR FURTHER INFORMATION CONTACT: Stephanie Roan, Premanufacture Notice Management Branch, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Rm. E–611, 401 M Street, SW., Washington, DC 20460, (202) 382–3725.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the non-confidential version of the PMNs received by EPA. The complete non-confidential PMNs are available in the Public Reading Room NE–G004 at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

P 88–134

Manufacturer. Confidential.
Chemical. (G) Acrylate polymer.
Use/Production. (G) Flocculant for use in water treatment. Prod. range: Confidential.

P 88–135

Manufacturer. Allied-Signal Incorporated.
Chemical. (G) Graft copolymer of polyamide and saponified PVA.
Use/Production. (G) A component of a polymer mixture designed to impart improved barrier characteristics in plastics formulation. Prod. range: Confidential.

P 88–136

Manufacturer. Confidential.
Chemical. (G) Methacrylic monomer.
Use/Production. (G) Monomer to be used in the production of high molecular. Prod. range: Confidential.

P 88–137

Manufacturer. Confidential.
Chemical. (G) Metacrylic monomer.

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Use/Production. (G) Monomer to be used in the production of high molecular. Prod. range: Confidential.

P 88–138

Manufacturer. Confidential.
Chemical. (G) Methacrylate polymer.
Use/Production. (G) Flocculant for use in water treatment. Prod. range: Confidential.

P 88–139

Manufacturer. Confidential.
Chemical. (G) Polymer rubber copolymer.
Use/Production. (G) Multi-use flexible polyamide. Prod. range: Confidential.

P 88–140

Manufacturer. Confidential.
Chemical. (G) Aliphatic aromatic polyester.
T3Use/Production. (G) Industrial paint polymeric component. Prod. range: 5,000 to 25,000 kg/yr.

P–88–141

Manufacturer. The Minnesota Mining and Manufacturing Company.
Chemical. (G) Perfluoroalkylsulfonamide salt.
T3Use/Production. (G) Industrial additive. Prod. range: Confidential.

P 88–142

Manufacturer. Confidential.
Chemical. (G) Polyamide rubber copolymer.
T3Use/Production. (G) Multi-use flexible polyamide. Prod. range: Confidential.

P 88–143

Importer. Confidential.
Chemical. (S) Benzoic acid, 2-mercapto, methyl ester.
T3Use/Import. (S) Consumer fragrance ingredient. Import range: Confidential.

T3Toxicity Data. Acute oral: 759 mg/kg; Irritation: Skin—No-irritant, Eye—Non-irritant; Ames test: Non-mutagenic.

P 88–144

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
T3Use/Production. (S) Industrial a high solids alkyd resin used in industrial coatings. Prod. range: 160,000 to 235,000 kg/yr.

P 88–145

Importer. Dia Nippon Printing Company, Ltd.
Chemical. (G) Indophenol derivative.
T3Use/Import. (S) Consumer dye for hear transfer recording material. Import range: 20 to 100 kg/yr.

T3Toxicity Data: Male: 2.19 g/kg, Female: >5.00 g/kg; Acute dermal: 2.0 g/kg; Irritation: Skin—Non-irritant, Eye—Non-irritant; Ames test: Mutagenic.

P 88–146

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
T3Use/Production. (S) Industrial and commercial high solids industrial baking alkyd. Prod. range: 152,138 to 250,000 kg/yr.

P 88–147

Manufacturer. E.I. du Pont de Nemours and Company, Inc.
Chemical. (G) Acrylic polymer.
T3Use/Production. (G) Industrial and commercial open, non-dispersive use. Prod. range: Confidential.

P 88–148

Manufacturer. E. I. du Pont de Nemours and Company, Inc.
Chemical. (G)— Acrylic polymer.
T3Use/Production. (G) Industrial and commercial open, non-dispersive use. Prod. range: Confidential.

P 88–149

Manufacturer. Alcolac Incorporated.
Chemical. (S) Poly(oxy-1,2-ethanediyl), alpha-(2-methyl-1-oxo-2-propenyl)-omega-(docosyl).
T3Use/Production. (G) Associative thickeners. Prod. range: Confidential.

P 88–150

Manufacturer. The Dow Chemical Company.
Chemical. (G) Hydroxylated resin.
T3Use/Production. (S) Commerical coatings. Prod. range: Confidential.

P 88–151

Manufacturer. The Dow Chemical Company.
Chemical. (G) Hydroxylated resin.
T3Use/Production. (S) Commerical coatings. Prod. range: Confidential.

P 88–152

Importer. Shin-Etsu Silicones of America, Incorporated.
Chemical. (S) Siloxanes, vinyl, partially hydrolyzed, methoxy terminated.
T3Use/Import. (S) Industrial crosslinking agent for silicone rubber, Import range: 300 to 600 kg/yr.

P 88–153

Manufacturer. E. I. du Pont de Nemours and Company, Inc.
Chemical. (G) Aromatic phosphonate.
T3Use/Production. (G) Lubricant additive, Prod. range: Confidential.

P 88–154

Manufacturer. Rohm and Haas Company.
Chemical. (G) Modified acrylic polymer.
T3Use/Production. (G) Polymeric processing aids in contained use. Prod. range: Confidential.
T3Toxicity Data: Acute oral: > 5 g/kg; Acute dermal: > 5 g/kg; Irritation: Skin-Non-irritant.

P 88–155

Manufacturer. Hanna Chemical Coating Corporation.
Chemical. (G) Saturated polyester.
T3Use/Production. (G) Industrial and commercial polyester vehicle for use in pigmented synthetic coatings. Prod. range: 65,000 to 140,000 kg/yr.

P 88–156

Manufacturer. Confidential.
Chemical. (G) Methacrylic acid, polymer with dioxohetermonocycle and expoxide.
T3Use/Production. (G) Molding resin-open, non-dispersive use. Prod. range: Confidential.

P 88–157

Manufacturer. Confidential.
Chemical. (G) Methacrylic acid, polymer with dioxoheteromonocycle and epoxide.
T3Use/Production. (G) Molding resin—open, non-dispersive use. Prod. range: Confidential.

P 88–158

Manufacturer. Confidential.
Chemical. (G) Cycloalkenyl substituted alkyl alkanol.
Use/Production. (G) Functional products fragrance and fine fragrance component. Prod. range: Confidential.
Toxicity Data. Actute oral: 3.6 g/kg; Acute dermal: 2.0 g/kg; Irritation: Skin—Slight irritant, Eye—Non-irritant; Ames test: Non-mutagenic.

P 88–159

Manufacturer. Hack Company.
Chemical. (S) Propionic acid, lithium salt (1:1).
Use/Production. (S) Industrial Buffer solution for chloride analyzer. Prod range: 500 to 500 kg/yr.

P 88–160

Manufacturer. Hack Company.
Chemical. (S) Maleic acid, dilithium salt.
Use/Production. (S) Industrial buffer solution for chloride analyzer. Prod range: 1,200 to 1,200 kg/yr.

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P 88–161

Manufacturer. Hack Company.
Chemical. (S) Maleic acid, monolithium salt.
Use/Production. (S) Industrial buffer solution for chloride analyzer. Prod range: 1,200 to 1,200 kg/yr.

P 88–162

Manufacturer. Confidential.
Chemical. (G) Polyestermide resin.
Use/Production. (G) Intermediate for electrical insulation coating. Prod range: Confidential.

P 88–163

Manufacturer. Confidential.
Chemical. (G) Polyestermide resin.
Use/Production. (G) Intrermediate for electrical insulation coatings. Prod range: Confidential.

P 88–164

Manufacturer. PPG Industries, Incorporated.
Chemical. (G) Aliphatic polyamino alcohol.
Use/Production. (G) Industrial coating component with a dispersive use. Prod range: 5,000 to 400,000 kg/yr.

P 88–165

Manufacturer. Confidential.
Chemical. (G) Chlorinated alkyd resin.
Use/Production. (S) Industrial alkyd resin for use in fire retardant coatings. Prod range: 236,978 kg/yr.

P 88–166

Manufacturer. Confidential.
Chemical. (G) Chlorinated alkyd resin.
Use/Production. (S) Industrial alkyd resin for use in fire retardant coatings. Prod range: 947,913 to 947,913 kg/yr.

P 88–167

Manufacturer. SCM Glidco Organics.
Chemical. (S) Terpenoids-pinanol pyrolysis and isomerization to linalool by products consists mostly of plinols, transpinanol, linalool, pinocampheol, fenchol and lesser amounts of other terpenoids.
Use/Production. (S) Industrial, commercial and consumer solvent and raw material for perfume compound. Prod range: 2,010,000 to 3,000,000 kg/yr.

P 88–168

Manufacturer. SCM Glidco Organics.
Chemical. (S) Terpenesand terpenoids-linalool isomerization by-products consists of alpha-pinene, dihydromycene, camphene, beta-pinene, myrcene, limonene and other terpene hydrocarbons in the hydrocarbon fraction.
Use/Production. (S) Industrial, commercial and consumer solvent. Prod. range: Confidential.

P 88–169

Manufacturer. Confidential.
Chemical. (G) Calcium and strontium salt of the azo dye.
Use/Production. (G) Open, non-dispersive use. Prod. range: Confidential.

P 88–170

Manufacturer. Confidential.
Chemical. (G) Calcium and strontium salt of the azo dye.
Use/Production. (G) Calcium and strontium salt of the azo dye. Prod. range: Confidential.

P 88–171

Importer. MTC America, Incorporated.
Chemical. (S) Styrene with methyl methacrylate, iso-butyl acrylate, 2-hydroxyethyl methacrylate and glycidyl methacrylate.
Use/Production. (S) Industrial powder coating. Prod. range: Confidential.

Date: November 2, 1987.

Denise Devoe,

Acting Director, Information Management Division, Office of Toxic Substances.

[FR Doc. 87–25736 Filed 11–5–87; 8:45 am]
BILLING CODE 6560–50–M

[OPTS–59839; FRL–3288–7]

Toxic Substances; Certain Chemicals Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in EPA statements of the final rule published in the **Federal Register** of May 13, 1983 (48 FR 21722). In the **Federal Register** of November 11, 1984 (49 FR 46066) (40 CFR 723.250), EPA published a rule which granted a limited exemption from certain PMN requirements for certain types of polymers. Notices for such polymers are reviewed by EPA within 21 days of receipt. This notice announces receipt of five such PMNs and provides the summary.

DATES: Close of Review Period:
Y 88–33—November 12, 1987.
Y 88–34 and 88–35—November 15, 1987.
Y 88–36—November 16, 1987.
Y 88–37—November 13, 1987.

FOR FURTHER INFORMATION CONTACT: Stephanie Roan, Premanufacture Notice Management Branch, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Room E–611, 401 M Street SW., Washington, DC 20460, (202) 382–3725.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the non-confidential version of the exemption received by EPA. The complete non-confidential documents are available in the Public Reading Room NE–G004 at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

Y 88–33

Manufacturer. Confidential.
Chemical. (G) Alkyd resin.
Use/Production. (S) Consumer a water reducible alkyd resin for use in architectural coatings. Prod. range: 44,127 to 44,127 kg/yr.

Y 88–34

Manufacturer. Emery Chemicals.
Chemical. (S) Adipic acid, phthalic anhydride ethylene glycol and isooctanol.
Use/Production. (S) Industrial plasticizer for polyvinyl chloride resin. Prod. range: 100,000 to 500,000 kg/yr.

Y 88–35

Manufacturer. Reichhold Chemical Incorporated.
Chemical. (G) Rosin modified alkyd.
Use/Production. (S) Industrial nitrocellulose based lacquers and coatings. Prod. range: Confidential.

Y 88–36

Manufacturer. Confidential.
Chemical. (S) Alkyd resin and polyester resin.
Use/Production. (S) Polymer is used as a component in a protective coating (paint) that is intended for use on metal substrates. Prod. range: 7143 kg/yr.

Y 88–37

Manufacturer. Confidential.
Chemical. (G) Bodied vegetable oil.
Use/Production. (S) Industrial and commercial vehicle for making printing inks. Prod. range: 50,000 to 80,000 kg/yr.

Date: November 2, 1987.

Denise Devoe,

Acting Director, Information Management Division, Office of Toxic Substances.

[FR Doc. 87–25737 Filed 11–5–87; 8:45 am]
BILLING CODE 6560–50–M

FEDERAL MARITIME COMMISSION

Agreements filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street, NW., Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC. 20573, within 10 days after the date of the Federal Register in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 224–003705–004

Title: Long Beach Preferential Assignment Agreement.

Parties:

City of Long Beach
Cooper Stevedoring Co., Inc. (Cooper).

Synopsis: The proposed agreement extends the term of the basic agreement, as amended, from October 31, 1987 through December 31, 1987 and for additional periods, in one or more segments if the assigned premises are available for use by Cooper, but not beyond December 31, 1988.

Agreement No.: 224–003945A–004

Title: Port of Oakland Terminal Agreement.

Parties:

Port of Oakland
Maersk Line Pacific, Ltd.

Synopsis: The proposed agreement extends the original term of the basic agreement for an additional two months to terminate 12–31–87.

Agreement No.: 224–003945–009

Title: Port of Oakland terminal Agreement.

Parties:

Port of Oakland
Maersk Line Pacific, Ltd.

Synopsis: The proposed agreement extends the original term of the basic agreement for an additional two months to terminate 12–31–87.

Agreement No.: 224–003996–001

Title: Puerto Rico Ports Authority Terminal Agreement.

Parties:

Puerto Rico Ports Authority (PRPA)
Molino's Puerto Rico, Inc. (Molino's)

Synopsis: The proposed agreement provides for an extension of five additional years, beginning on December 15, 1986 and ending December 14, 1991, to Agreement No. T–3996.

Agreement No.: 224–010825A–001

Title: Los Angeles Terminal Agreement.

Parties:

City of Los Angeles (LA)
Evergreen Marine Corporation (Evergreen)

Synopsis: Under the proposed agreement LA makes a temporary substitution of Crane 209–10 for Crane 209–12.

Agreement No.: 224–010975–001

Title: Maryland Port Administration Terminal Agreement.

Parties:

Maryland Port Administration
Ceres Corporation

Synopsis: The proposed agreement provides that unless otherwise provided in the terms of the Agreement and Lease, the terms and provisions of the Maryland Port Administration Terminal Services Tariff No. 10 and its successor terminal service tariffs shall govern the Agreement and Lease.

Agreement No.: 224–200055

Title: Port of Maryland Terminal Agreement.

Parties:

Maryland Port Administration
Meehan Overseas Terminals of Cambridge, Ltd. (Meehan)

Synopsis: The proposed agreement authorizes the lease of 7.5 acres of property and improvements at Cambridge Marine Terminal in Cambridge, MD. to Meehan for the berthing of its vessels for loading, discharging and storage of cargoes and for operations supplemental thereto. The agreement and lease is for a period of three years, with two extensions of three years at the option of Meehan.

Agreement No.: 224–200057

Title: Port of Tampa Terminal Agreement.

Parties:

Tampa Port Authority
Garrison Stevedoring, Inc. (Garrison)

Synopsis: The proposed agreement authorizes the lease of approximately ten acres of waterfront property in Hillsborough County, Florida for use by Garrison in connection with its stevedoring and terminal operations. The term of this agreement is for a period of two years, commencing November 1, 1987 through October 31, 1989.

Agreement No.: 224–200058

Title: Maryland Port Administration Agreement.

Parties:

Maryland Port Administration (MPA)
Toyota Motor Sales (Toyota)

Synopsis: The proposed agreement provides for Toyota to lease from MPA portions of the former Maryland Ship Building and Drydock site in Baltimore for use as a vehicle receiving and processing facility.

By Order of the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

Dated: November 3, 1987.

[FR Doc. 87–25743 Filed 11–5–87; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

Agency Forms Under Review

November 2, 1987.

Background

Notice is hereby given of final approval of a proposed information collection by the Board of Governors of the Federal Reserve System under OMB delegated authority as per 5 CFR 1320.9 (OMB Regulations on Controlling Paperwork Burdens on the Public). This information collection was approved by the Board on October 28, 1987 in connection with approval of an amendment to Regulation H specifying the conditions for amortization of losses on qualified agricultural loans, as provided under the Competitive Equality Banking Act of 1987 ("the Act"). The regulation was approved as a final rule with an effective date of November 9, 1987, to comply with the requirement in the Act that an implementing rule be in place within 90 days of the effective date of the Act. Although the rule and the accompanying reporting requirements are approved under expedited procedures in view of the statutory deadline, a comment period is being provided.

DATES: Comments regarding this information collection must be received on or before November 23, 1987.

ADDRESSES: Comments, which should refer to the OMB Docket number, should be addressed to Mr. William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, 20th and C Streets NW., Washington, DC 20551, or delivered to room B–2223 between 8:45

a.m. and 5:15 p.m. Comments received may be inspected in room B-1122 between 8:45 a.m. and 5:15 p.m., except as provided in § 261.6(a) of the Board's Rules Regarding Availability of Information, 12 CFR 261.6(a).

FOR FURTHER INFORMATION CONTACT:

Rhoger H. Pugh, Manager, Division of Banking Supervision and Regulation, Board of Governors of the Federal Reserve System, Washington, DC 20551, (202-452-5883)

Federal Reserve Board Clearance Officer—Nancy Steele—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, DC 20551, (202-452-3822)

OMB Desk Officer—Robert Fishman—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, DC 20503, (202-395-7340)

Approval Under OMB Delegated Authority of the Implementation of the Following Report

Report title: Report by Banks Proposing to Amortize Losses on Qualified Agricultural Loans
Agency form number: FR 4020
OMB Docket number: 7100-0226
Frequency: on occasion
Reporters: U.S. commercial banks
Annual reporting hours: 136
Small businesses are affected.
General description of report: This report is authorized by law (Pub. L. 100-86; 12 U.S.C. 321 *et seq.*). Individual respondent data may be given confidential treatment (5 U.S.C. 552 (b)(4) and (b)(8)).

This report specifies the information required to establish a bank's eligibility to amortize losses on qualified agricultural loans as authorized by the Competitive Equality Banking Act of 1987. The information is requested in the form of a proposal from the bank documenting its eligibility, providing details of the loans on which the bank proposes to amortize losses, outlining a capital restoration plan, and providing other necessary information.

Board of Governors of the Federal Reserve System, November 2, 1987.

William W. Wiles,

Secretary of the Board.

[FR Doc. 87-25700 Filed 11-5-87; 8:45 am]

BILLING CODE 6210-01-M

Agency Forms Under Review

November 2, 1987.

Background

Notice is hereby given of the submission of proposed information collection(s) to the Office of Management and Budget (OMB) for its review and approval under the Paperwork Reduction Act (Title 44 U.S.C. Chapter 35) and under OMB regulations on Controlling Paperwork Burdens on the Public (5 CFR Part 1320). A copy of the proposed information collection(s) and supporting documents is available from the agency clearance officer listed in the notice. Any comments on the proposal should be sent to the OMB desk officer listed in the notice. OMB's usual practice is not to take any action on a proposed information collection until at least ten working days after notice in the **Federal Register**, but occasionally the public interest requires more rapid action.

FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Nancy Steele—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, DC 0551, (202-452-3822)

OMB Desk Officer—Robert Fishman—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, DC 20503, (202-395-7340)

Request for OMB approval to revise the following report:
Report title: Reports of Condition and Income
Agency form number: FFIEC 031-034
OMB Docket number: 7100-0036
Frequency: Quarterly
Reporters: State member banks
Annual reporting hours: 149,178
Small businesses are affected.
General description of report: This information collection is mandatory (12 U.S.C. 324) and is given partial confidential treatment.

State member banks are required to file detailed schedules of assets, liabilities, and capital accounts in the form of a condition report and summary statement; detailed schedule of operating income and expense, sources and disposition of income, and changes in equity capital in the form of an income statement; and a variety of supporting schedules. Data are used for supervisory and monetary policy purposes. The proposed revisions for December 1987 consist of the addition of items of Schedules RC & RC-M on the FFIEC 034 to collect information on amortization of agricultural loans as provided under the Competitive Equality Banking Act of 1987. The proposed revisions for March 1988 consist of a format change substituting nine specific questions in place of the current free-form questions on Schedules RI-E of all reports, to permit electronic entry.

Board of Governors of the Federal Reserve System, November 2, 1987.

William W. Wiles,

Secretary of the Board.

[FR Doc. 87-25701 Filed 11-5-87; 8:45 am]

BILLING CODE 6210-01-M

American Interstate Bancorporation, Inc.; Formation of, Acquisition by, or Merger of Bank Holding Companies

The company listed in this notice has applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.24) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that application or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Comments regarding this application must be received not later than November 27, 1987.

A. **Federal Reserve Bank of Chicago** (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *American Interstate Bancorporation, Inc.*, Omaha, Nebraska; to acquire 96 percent of the voting shares of The First National Bank of Paullina, Paullina, Iowa.

Board of Governors of the Federal Reserve System, November 2, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-25696 Filed 11-5-87; 8:45 am]

BILLING CODE 6210-01-M

Change in Bank Control; Acquisition of Shares of Banks or Bank Holding Companies; Donald D. Crader

The notificant listed below has applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than November 20, 1987.

A. **Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Donald D. Crader and Nancee Y. Crader*, Marble Hill, Missouri; to acquire an additional 13.33 percent of the voting shares of Exlanco, Inc., Sikeston, Missouri, and thereby indirectly acquire Security Bank of Bollinger County, Lutesville, Missouri.

Board of Governors of the Federal Reserve System, November 2, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-25697 Filed 11-5-87; 8:45 am]

BILLING CODE 6210-01-M

First Colonial Bankshares Corp.; Application To Engage de Novo in Permissible Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than November 27, 1987.

A. **Federal Reserve Bank of Chicago** (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *First Colonial Bankshares Corporation*, Chicago, Illinois; to engage *de novo* through its subsidiary, First Colonial Trust Company, Pak Park, Illinois, in trust company activities pursuant to § 225.25(b)(3) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, November 2, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-25698 Filed 11-5-87; 8:45 am]

BILLING CODE 6210-01-M

Fleet Financial Group, Inc.; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23(a) (2) or (f) of the Board's Regulation Y (12 CFR 225.23(a) (2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than November 27, 1987.

A. **Federal Reserve Bank of Boston** (Robert M. Brady, Vice President) 600 Atlantic Avenue, Boston, Massachusetts 02106:

1. *Fleet Financial Group, Inc.*, Providence, Rhode Island; to acquire Fleet Real Estate Funding Corp., Columbia, South Carolina, and thereby engage in mortgage origination and servicing activities pursuant to § 225.25(b)(1) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, November 2, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-25699 Filed 11-5-87; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Agency Forms Submitted to Office of Management and Budget for Clearance

Each Friday the Department of Health and Human Services (HHS) publishes a list of information collection packages it has submitted to the Office of Management and Budget (OMB) for clearance in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). The following are those packages submitted to OMB since the

last list was published on October 23, 1987.

Office of the Secretary

(Call Reports Clearance Officer on 202–245–0509 for copies of package)

1. Report of Capitalized Non-Expendable Equipment—0990–0081—This form is submitted by contractors when requesting reimbursement of costs incurred in the purchase of fabrication of capitalized nonexpendable equipment, or for reporting of inventory upon contract completion. The information is used by the Department to monitor and assure control of capitalized nonexpendable equipment. Respondents: State or local governments, Businesses or other for-profit, Non-profit institutions, Small businesses or organizations. Number of Respondents: 3,600; Frequency of Response: Occasionally; Estimated Annual Burden: 900 hours.

2. Recordkeeping Requirements for Government-owned/Contractor Held Property—0990–0015—The recordkeeping requirements established by the Department for Government owned/contractor held property are necessary for HHS to monitor Government property as required by the Federal Property and Administrative Services Act of 1949. Respondents: State or local governments, Businesses or other for-profit, Non-profit organizations, Small businesses or organizations. Number of Respondents: 4,500; Frequency of Response: Recordkeeping; Estimated Annual Burden: 450 hours.

3. Federal Cash Transaction Report—0990–0078—This report, the Department's computerized version of the SF 272 is submitted by recipients of HHS grant awards who are paid through the Payment Management System. The Department uses the information to monitor advances and obtain disbursement information consistent with cash management principles established by OMB and Treasury. Respondents: State or local governments, Businesses or other for-profit, Non-profit institutions. Number of Respondents: 9,000; Frequency of Response: Quarterly; Estimated Annual Burden: 144,000 hours.

4. Request for Advance or Reimbursement—0990–0059—This form, the Department's computerized version of the SF–270 is used by grant recipients to request funds from HHS. Respondents: State or local governments, Businesses or other for-profit, Non-profit institutions. Number of Respondents: 6,997; Frequency of Response: Occasionally; Estimated Annual Burden: 20,991 hours.

Desk Officer: Shanna Koss.

Health Care Financing Administration

(Call Reports Clearance Officer on 301–594–1238 for copies of package)

1. Post Certification Revisit Report—0938–0044—This form provides a uniform formal depicting action accomplished and used as a follow-up to detect deficiencies reported on form HCFA–2567. Information from this form is used to make decisions concerning certification of health care facilities participating in Medicare. Respondents: State or local governments. Number of Respondents: 30,000; Frequency of Response: Annually; Estimated Annual Burden; 2,500 hours.

2. Fire Safety Survey Report Forms—0938–0242—These forms are used by the State agency to record data collected in order to determine compliance with individual conditions during fire safety surveys and report it to the Federal government. Respondents: State or local governments. Number of Respondents: 53; Frequency of Response: Annually; Estimated Annual Burden: 20,637 hours.

3. Information Collection Requirements Contained in 42 CFR 405.1202, 1221, 1223, 1228 and Conditions of Participation for Home Health Agencies—0938–0365—Home Health Agencies participating in Medicare are required to maintain this information in order to show compliance with published health and safety standards. Respondents: Businesses or other for-profit, Small businesses or organizations. Number of Respondents: 5,850; Frequency of Response: Annually; Estimated Annual Burden: 189,950 hours.

4. Hospital Survey Report Form—0938–0382—This survey form is an instrument used by the State agency to record data collected in order to determine compliance with the revised conditions of participation and report it to the Federal government. Respondents: State or local governments. Number of Respondents: 53; Frequency of Response: Annually; Estimated Annual Burden: 4,617 hours.

OMB Desk Officer: Allison Herron

Public Health Services

(call Reports Clearance Officer on 202–245–2100 for copies of package)

Health Resources Services Administration

1. Uncompensated Services Reporting and Recordkeeping—0915–0077—Health Care Facilities which have received funds under Titles VI and XVI of the PHS Act are required to provide prescribed amounts of care to persons unable to pay and to submit to the Secretary data and information which reasonably demonstrates compliance with this requirement. Individuals denied such care have a right to appeal that denial to the Secretary. Respondents: Individuals or households, State or local governments, Non-profit institutions. Number of Respondents: 4,041; Frequency of Response: Occasionally; Estimated Annual Burden: 1,649,948 hours.

2. HRSA Noncompeting Training Grant Application—0915–0061—Approval is requested to use the HRSA Continuation Training Grant Application for HSRA training grants and cooperative agreements to apply for noncompeting continuation awards. Respondents: State or local governments, Non-profit institutions. Number of Respondents: 680; Frequency of Response: Occasionally; Estimated Annual Burden: 17,170 hours.

Food and Drug Administration

1. Allocation of Color Additives—NEW—The regulation concerning presentation of data about the specific provisionally and permanently listed uses of color additives requests information which the Secretary will base (1) the determination of which use or uses of the additive shall remain or be listed, (2) allocation of allowable safe tolerance of additive. Respondents: Businesses or other for-profit, Small businesses or organizations. Number of Respondents: 230; Frequency of Response: Occasionally; Estimated Annual Burden: 230 hours.

2. Request for Certification of an Insulin Batch—0910–0181—Analytical data prerequisite for batch certification without which the batch cannot legally be distributed. Program is mandated by statute and is self-supporting through fees. Respondents: Businesses or other for-profit. Number of Respondents: 3; Frequency of Response: Occasionally; Estimated Annual Burden: 533 hours.

OMB Desk Officer: Shanna Koss

As mentioned above, copies of the information collection clearance packages can be obtained by calling the Reports Clearance Officer, on one of the following numbers: OS: 202–245–0509; HCFA: 301–594–1238; PHS: 202–245–2100.

Written comments and recommendations for the proposed information collections should be sent directly to the appropriate OMB Desk Officer designated above at the following address: OMB Reports Management Branch, New Executive Office Building, Room 3208, Washington, DC 20503, Attn.: (Name of OMB desk officer).

Date: November 2, 1987.

Raffie Shahrigian,

Acting Deputy Assistant Secretary, Administrative and Management Services.

[FR Doc. 87-25741 Filed 11-5-87; 8:45 am]

BILLING CODE 4150-04-M

Food and Drug Administration

[Docket No. 87F-0332]

Filing of Food Additive Petition; Ausimont USA, Inc.

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Ausimont USA, Inc., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of ethylene/chlorotrifluoroethylene copolymer in repeated use articles intended for use in contact with food.

FOR FURTHER INFORMATION CONTACT: Vir Anand, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C Street, SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 7B4040) has been filed by Ausimont USA, Inc., Fluoropolymer Division, P.O. Box 2332 R, Morristown, NJ 07960, proposing that § 177.1380 *Fluorocarbon resins* (21 CFR 177.1380) be amended to provide for the safe use of ethylene/chlorotrifluoroethylene copolymer in repeat use articles intended for use in contact with food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: October 29, 1987.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 87-25689 Filed 11-5-87; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 87F-0326]

Filing of Food Additive Petition; Ciba-Geigy Corp.

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Ciba-Geigy Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of 3,3'-[(2,5-dimethyl-1,4-phenylene)bis[imino(1-acetyl-2-oxo-2,1-ethanediyl)azo]]bis[4-chlor-*N*-(5-chloro-2-methylphenyl)-benzamide] as a colorant for polymers intended to contact food.

FOR FURTHER INFORMATION CONTACT: Marvin D. Mack, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C Street SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION:

Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 7B4033) has been filed by Ciba-Geigy Corp., Three Skyline Dr., Hawthorne, NY 10532, proposing that § 178.3297 *Colorants for polymers* (21 CFR 178.3297) be amended to provide for the safe use of 3,3'-[(2,5-dimethyl-1,4-phenylene)bis[imino(1-acetyl-2-oxo-2,1-ethanediyl)azo]]bis[4-chloro/*N*-(5-chloro-2-methylphenyl)-benzamide] as a colorant for polymers intended to contact food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: October 23, 1987.

Fred R. Shank,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 87-25690 Filed 11-5-87; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 87F-0331]

Filing of Food Additive Petition; Mitsui Toatsu Chemicals, Inc.

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Mitsui Toatsu Chemicals, Inc., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of bis(p-ethylbenzylidene) sorbitol for use as a clarifying agent in propylene homopolymer and copolymer articles intended for contact with food.

FOR FURTHER INFORMATION CONTACT: Andrew D. Laumbach, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C Street SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786 (21 U.S.C. 348(b) (5))), notice is given that a petition (FAP 7B4042) has been filed by Mitsui Toatsu Chemicals, Inc., 140 East 45th St., New York, NY 10017, proposing that § 178.3295 *Clarifying agents for polymers* (21 CFR 178.3295) be amended to provide for the safe use of bis(p-ethylbenzylidene) sorbitol for use as a clarifying agent in propylene homopolymer and copolymer articles intended for contact with food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: October 23, 1987.

Fred R. Shank,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 87-25691 Filed 11-5-87; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 87F-0338]

Filing of Food Additive Petition; PQ Corp.

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administraion (FDA) is announcing that the PQ Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of zeolite A in the manufacture of paper and paperboard for use in contact with food.

FOR FURTHER INFORMATION CONTACT: Rudolph Harris, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C Street SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 7B4030) has been filed by

PQ Corp., P.O. Box 258, Lafayette Hill, PA 19444, proposing that § 176.170 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 176.170) be amended to provide for the safe use of zeolite A in the manufacture of paper and paperboard for use in contact with food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: October 29, 1987.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 87-25692 Filed 11-5-87; 8:45 am]

BILLING CODE 4160-01-M

Health Care Financing Administration

Medicaid Program; Hearing; Reconsideration of Disapproval of Portions of a California State Plan Amendment

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of hearing.

SUMMARY: This notice announces an administrative hearing on December 8, 1987 in San Francisco, California to reconsider our decision to disapprove portions of California State Plan Amendment 85-19.

Closing Date: Requests to participate in the hearing as a party must be received by the Docket Clerk November 23, 1987.

FOR FURTHER INFORMATION CONTACT: Docket Clerk, Hearing Staff, Bureau of Eligibility, Reimbursement and Coverage, 300 East High Rise, 6325 Security Boulevard, Baltimore, Maryland 21207, Telephone: (301) 594-8261.

SUPPLEMENTARY INFORMATION:

This notice announces an administrative hearing to reconsider our decision to disapprove portions of a California State Plan Amendment.

Section 1116 of the Social Security Act and 45 CFR Parts 201 and 213 establish Department procedures that provide an administrative hearing for reconsideration of a disapproval of a State plan or plan amendment. HCFA is required to publish a copy of the notice to a State Medicaid Agency that informs the agency of the time and place of the hearing and the issues to be considered. (If we subsequently notify the agency of additional issues which will be considered at the hearing, we will also publish that information in a notice.)

Any individual or group that wants to participate in the hearing as a party must petition the Hearing Officer within 15 days after publication of this notice, in accordance with the requirements contained in 45 CFR 213.15(b)(2). Any interested person or organization that wants to participate as amicus curiae must petition the Hearing Officer before the hearing begins in accordance with the requirements contained in 45 CFR 213.15(c)(1).

If the hearing is later rescheduled, the Hearing Officer will notify all participants.

The issue in this matter is whether California SPA 85-19, portions of which relate to the methods and standards proposed for determining whether an individual's resources are within program limits, violates section 1902(a)(10)(A) and 1902(a)(10)(C)(i)(III) of the Social Security Act.

In general, the Medicaid statute requires States to use the eligibility rules of the Supplemental Security Income (SSI) program in determining Medicaid eligibility of all aged, blind and disabled individuals and to use the rules of the Aid to Families with Dependent Children (AFDC) program in determining Medicaid eligibility of AFDC-related individuals (sections 1902(a)(10)(A) and 1902(a)(10)(C)(i)(III) of the Act. The only applicable exception to this requirement with regard to California's SPA 85-19 is that section 2373(c) of the Deficit Reduction Act of 1984 (DEFRA) and the recently enacted Medicare and Medicaid Patient and Program Protection Act of 1987 provide that where a State used more liberal eligibility criteria than the cash assistance program in determining eligibility for individuals under its medically needy program, and three specified optional categorically needy groups, HCFA can take no adverse action against the State in the form of disallowances, penalties, quality control errors, etc., during a period beginning October 1, 1981 and ending February 17, 1989. This is known as the DEFRA moratorium.

On August 18, 1987 Pub. L 100-93 amended the moratorium established by section 2373(c) the Deficit Reduction Act of 1984. Among othe things, the amendment makes clear that the moratorium affords protection to State plan amendments (whether or not approved) as well as existing approved State plans. The moratorium is limited to the medically needy and the optional categorically needy groups described in sections 1902(a)(10)(A)(ii)(IV), (V), and (VI). It also applies only to provisions which do not make *any individual* ineligible who would be eligibile except for that provision. Thus, provisions which are more restrictive in any respect than the cash assistance rules are not protected. However, the moratorium does not preclude HHS from disapproving State plan submittals which do not satisfy the requirements of the Medicaid statute, but prevents HHS from penalizing States for adhering to the terms of the material protected by the moratorium. Thus, although certain portions of California's amendment may be covered under a amended moratorium, the disapproval of these provisions remains proper. The State may, however, implement those provisions the Secretary determines to be covered by the moratorium during the period in which the moratorium remains in effect. The Secretary will be issuing instructions advising States of procedures for submitting moratorium issues.

In SPA 85-19, California submitted a Supplement 4 to Attachment 2.6A of its State plan. Supplement 4 sets forth the various exemptions from counting items as resources the State proposed to use in determining eligibility for the medically needy. Most of Supplement 4 was approved, however several items were not because they are either more liberal or more restrictive than allowed under the SSI program. A discussion of the specific items which were not approved follows.

Item (a)(1)(C) of Supplement 4

This item of SPA 85-19 proposes to inlcude as a principal place of residence, and therefore not countable as a resource, property in which the individual's spouse, minor child, or dependent relative continue to reside during the individual's absence. SSI policy property in which a spouse or dependent relative resides to be considered the principal place of residence, but specifically provides that such property will be the principal place of residence only if the individual is absent because he or she is institutionalized. HCFA has determined California's proposal is thus more liberal than SSI policy because it considers the property in question to be the individual's principal place of residence regardless of the reason for his or her absence.

Item (a)(1)(C) of Supplement 4 is protected by the amended DEFRA moratorium. However, because it

contains material which is more liberal than SSI policy it violates section 1902(a)(10)(C)(i)(III) of the Act and must be disapproved, although California may comply with the terms of this portion of its amendment during the moratorium period.

Item (a)(1)(D) of Supplement 4

This item proposes to include under the principal place of residence property in which the individual once lived, is now absent from, to which the individual does not intend to return, and for which a bona fide effort for sale is being made. Under SSI, when an absent individual no longer intends to return home, the home ceases to be the principal place of residence and is instead considered to be a countable resource. SSI then determined the current market value of the property and counts the value as a resource in determining eligibility. HCFA has determine the California proposal is thus more liberal than SSI in that California proposes to include in the definition of principal place or residence (and thus exclude as a countable resource) property which would be counted under SSI policy, i.e., property which the individual is trying to sell.

Item (a)(1)(D) of Supplement 4 is protected by the amended DEFRA moratorium. However, because it contains material which is more liberal than SSI policy, it violates section 1902(a)(10)(C)(i)(III) of the Act and must be disapproved, although California may comply with the terms of this portion of its amendment during the moratorium period.

Item (a)(1)(F) of Supplement 4

This item proposes to include as the principal place of residence property in which the individual once lived, is now absent from, and does not intend to return to, but which is inhabited by any sibling or adult child of the individual who resided in the property for at least 1 year prior to the date the individual entered a skilled nursing facility or intermediate care facility. Under SSI, property from which an individual is absent and to which he or she does not intend to return can be excluded only where the individual is institutionalized and a *dependent* relative resides in the home. HCFA has determine California's proposal is thus more liberal than SSI because there is no requirement that the relative be dependent.

Item (a)(1)(F) of Supplement 4 is protected by the amended DEFRA moratorium, However, because it contains material which, as California admits, is more liberal than SSI policy it violates section 1902(a)(10)(C)(i)(III) of the Act and must be disapproved, although the State may comply with the terms of this portion of its amendment during the moratorium period.

Item (b)(2)(d) of Supplement 4

This item provides that burial reserves which meet the conditions specified in public assistance regulations will be excluded as resources. The applicable regulations provide that burial reserves will be excluded if they are valued at less than $1,000. This can be either more liberal or more restrictive than SSI policy, depending on individual circumstances. Under some circumstances, SSI will exclude burial reserves up to a value of $1,500. In such cases, the $1,000 maximum value proposed would be more restrictive than SSI. On the other hand, SSI diminishes the $1,500 burial reserve by the face value of life insurance with a total face value of less than $1,500 and by amounts in irrevocable trusts or other arrangements available to meet burial expenses. The proposed $1,000 exclusion could, therefore, be more liberal in situations where SSI policy would operate to lower the $1,500 exclusion to less than $1,000. The State has indicated that it is in the process of revising its regulations to conform with SSI policy. However, to date that revision apparently has not been completed. In the absence of revised State regulations, California's policy can be either more restrictive or more liberal than SSI policy. HCFA has determined this is contrary to the requirements of section 1902(a)(10)(C)(i)(III) of the Act. This item is not protected by the DEFRA moratorium since it is in some respects more restrictive than SSI rules.

Item (b)(2)(m) of Supplement 4

This item excludes all burial insurance from being counted as a resource. SSI policy limits this exclusion to burial insurance policies which can only be used to pay the burial expenses of the insured. Therefore, HCFA has determined California's policy is more liberal than SSI's. California has indicated that it is considering a change in this policy to bring it into conformance with SSI policy. However, to date no action has been taken of which HCFA is aware. HCFA has determined this item is more liberal than SSI which is contrary to the requirements of section 1902(a)(10)(C)(i)(III) of the Act. Item (b)(2)(m) of supplement 4 is protected by the amended DEFRA moratorium and although it must be disapproved California may comply with the terms of this portion of its amendment during the moratorium period.

Item (b)(2)(f) of Supplement 4

This item provides for the exclusion of wedding and engagement rings, heirlooms, clothing, household furnishing and equipment. SSI policy limits the exclusion of wedding and engagement rings to one of each. In addition, SSI policy limits the exclusion of other personal and household goods to a maximum value of $2,000. Since California's policy does not include these limits, HCFA has determined it is more liberal than SSI policy and is contrary to the requirements of section 1902(a)(10)(C)(i)(III) of the Act. Item (b)(2)(f) of Supplement 4 is protected by the amended DEFRA moratorium and although it must be disapproved, California may comply with the terms of this portion of its amendment during the moratorium period.

Item (b)(2)(j) of Supplement 4

This item provides for exclusion of all business property, equipment and inventory, which is necessary for an approved plan of self support, if earning 6 percent a year. SSI policy also requires that the equity value of this property not exceed $6,000.

California's policy includes no such limit. Thus, HCFA has determined it is more liberal than SSI policy and is contrary to the requirements of section 1902(a)(10)(C)(i)(III) of the Act. Item (b)(2)(j) of Supplement 4 is protected by the amended DEFRA moratorium and although it must be disapproved, California may comply with the terms of this amendment during the moratorium period.

The notice to California announcing an administrative hearing to reconsider the disapproval of its State plan amendment reads as follows:

Kenneth W. Kizer, M.D., M.P.H.
Director, California State Department of Health Services, 714 P Street, Room 1253, Sacramento, California 95814

Dear Dr. Kizer: This is to advise you that your request for reconsideration of the decision to disapprove portions of California SPA 85–19 was received on October 2, 1987. California SPA 85–19 relates to the methods and standards the State applies in determining whether an individual's resources are within program limits.

There are two issues in this matter. The first issue is whether the disapproved portions of the amendment are more liberal (and in one instance also more restrictive) than the rules used by the relevant cash assistance programs for purposes of meeting the requirements of sections 1902(a)(10)(A) and 1902(a)(C)(i)(III) of the Social Security Act. The second issue is whether the moratorium imposed by section 2373(c) of the

Deficit Reduction Act of 1984 as amended by section 9 of Public Law No. 100–93 requires the approval of those portions of California's amendment which were disapproved.

I am scheduling a hearing on your request to be held on December 8, 1987 at 10:00 a.m. in the 21st Floor Conference Room, 100 Van Ness Avenue, San Francisco, California. If this date if not acceptable, we would be glad to set another date that is mutually agreeable to the parties.

I am designating Mr. Albert Miller as the presiding official. If these arrangements present any problems, please contact the Docket Clerk. In order to facilitate any communication which may be necessary please notify the Docket Clerk of the names of the individuals who will represent the State at the hearing. The Docket Clerk can be reached at (301) 594–8261.

Sincerely,

William L. Roper, M.D.,

Administrator.

(Section 1116 of the Social Security Act (42 U.S.C. 1316))

(Catalog of Federal Domestic Assistance Program No. 13.714, Medicaid Assistance Program)

Dated: October 30, 1987.

William L. Roper,

Administrator, Health Care Financing Administration.

[FR Doc. 87–25762 Filed 11–5–87; 8:45 am]

BILLING CODE 4120–03–M

Office of Human Development Services

Federal Council on the Aging; Meeting

Agency Holding the Meeting: Federal Council on the Aging.

Time and Date: Meeting begins at 9:30 a.m. and ends at 5:00 p.m. on Wednesday, November 18, 1987 and begins at 9:30 a.m. and ends at 3:00 p.m. on Thursday, November 19, 1987.

Place: On Wednesday, November 18 from 9:30 to 3:00 p.m., Congressional Hearing Room H 128, Capitol, and from 3:30 to 5:00 p.m., Boardroom 108, The Capitol Hill Hotel, 200 C Street, SE., Washington, DC 20003. On Thursday, November 19, from 9:30 to 12 Noon in a Congressional Hearing Room to be announced. All other meetings will be held in the Boardroom 108, The Capitol Hill Hotel, 200 C Street, SE., Washington, DC 20003.

Status: Meeting is open to the public.

Contact Person: Pete Conroy, Room 4545, Wilbur J. Cohen North Building, 330 Independence Avenue, SW., Washington, DC 20201; Phone 245–2451.

The Federal Council on the Aging was established by the 1973 Amendemnts to the Older Americans Act of 1965 (Pub. L. 93–29, 42 U.S.C. 3015) for the purpose of advising the President, the Secretary of Health and Human Services, the Commissioner on Aging and the Congress on matters relating to the special needs of older Americans.

Notice is hereby given pursuant to the Federal Advisory Committee Act (Pub. L. 92–453, 5 U.S.C. App. 1, Section 10, 1976) that the Council will hold a meeting on November 18 and 19, 1987, from 9:30 a.m.–5:00 p.m. and from 9:30 am–3:00 p.m. respectively. On November 18, the morning session will be held in Congressional Hearing Room H 128, The Capitol, and moved to Boardroom 108, The Capitol Hill Hotel, in the afternoon. On November 19 the meeting will be held in a Congressional Hearing Room to be announced.

The agenda will include: Meeting with Members of Congress involved in authorizing or overseeing legislation involving older Americans. A forum on *The Impact of the AIDS Problem on the Elderly*. Presentations will include: *Effect on Social Security Programs* by David A. Rust, Associate Commissioner, Office of Disability and Actuaries from SSA; *Epidemic/Pandemic Numbers Projected* by Dr. Robert E. Windom, Assistant Secretary for Health, PHS; *Effects on Health Insurance Rates and Coverage* by Gina Grage, Research & Policy Development, Health Insurance Association of America; *Ramifications on Health Care Matters-Government View* by Dr. William Winkenwerder, Special Assistant to the Administrator, HCFA; *Private and Foundation Efforts to Address the Problem* by Foundation for AIDS Research; and *Managment, Legal, Personnel Implications on Health Care Industry* by Susan Harris, General Counsel, AHCA. A presentation by York E. Onnen, Director, Program Development, The President's Council on Physical Fitness and Sports, and a status report by Commissioner on Aging, Carol Fraser Fisk. In addition, a substantial amount of time will be devoted to FCoA committee meetings and reports.

Dated: October 30, 1987.

Ingrid Azvedo,

Chairperson, Federal Council on the Aging.

[FR Doc. 87–25742 Filed 11–5–87; 8:45 am]

BILLING CODE 4130–01–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Oil and Gas Lease; Alaska

ACTION: Notice of sale.

SUMMARY: The purpose of this notice is to announce that a Competitive Protective Oil and Gas Lease Sale No. 881 will be held on December 10, 1987. The lands are within the Kuparuk River Unit, North Slope Borough, Alaska, and are offered for lease under the authority of 43 U.S.C. 1457, (40 Op. Atty. Gen. 41).

FOR FURTHER INFORMATION CONTACT: Kay F. Kletka, 907–271–3791, Bureau of Land Management, 701 C Street, Box 13, Anchorage, AK 99513.

SUPPLEMENTARY INFORMATION: Notice is hereby given that at 10 a.m. on December 10, 1987, certain lands within the Kuparuk River Unit, North Slope Borough, Alaska will be offered by sealed bid to the qualified bidder submitting the highest acceptable bonus bid in a competitive protective oil and gas least sale.

Sealed bids must be mailed or delivered in person to the Bureau of Land Management, Alaska State Office, and received no later than close of business, December 9, 1987, A.S.T.

A detailed statement of the terms and conditions of the lease offering and how and where to submit bids may be purchased at a cost of $10 from the BLM at the address shown above.

Joseph A. Dygas,

Acting Deputy State Director of Mineral Resources.

Dated: October 30, 1987.

[FR Doc. 87–25694 Filed 11–5–87; 8:45 am]

BILLING CODE 4310–JA–M

Bureau of Reclamation

Quarterly Status Tabulation of Water Service and Repayment Contract Negotiations

AGENCY: Bureau of Reclamation, Department of the Interior.

ACTION: Notice of Proposed Contractual Actions Pending Through December 1987 Pursuant to section 226 of the Reclamation Reform Act of 1982 (96 Stat. 1273), and to § 426.20 of the rules and regulations published in the **Federal Register** December 6, 1983, Vol. 48, page 54785, the Bureau of Reclamation will publish notice of proposed or amendatory repayment contract actions or any contract for the delivery of irrigation water in newspapers of general circulation in the affected area at least 60 days prior to contract execution. The Bureau of Reclamation announcements of irrigation contract actions will be published in newspapers of general circulation in the areas determined by the Bureau of Reclamation to be affected by the proposed action. Announcements may be in the form of news releases, legal notices, official letters, memorandums,

or other forms of written material. Meetings, workshops, and/or hearings may also be used, as appropriate, to provide local publicity. The public participation requirements do not apply to proposed contracts for the sale of surplus or interim irrigation water for a term of 1 year or less. The Secretary or the district may invite the public to observe any contract proceedings. All public participation procedures will be coordinated with those involved in complying with the National Environmental Policy Act if the Bureau determines that the contract action may or will have "significant" environmental effects.

Pursuant to the "Final Revised Public Participation Procedures" for water service and repayment contract negotiations, published in the **Federal Register** February 22, 1982, Vol. 47, page 7763, a tabulation is provided below of all proposed contractual actions in each of the six Reclamation regions. Each proposed action listed is, or is expected to be, in some stage of the contract negotiation process during October, November, or December of 1987. When contract negotiations are completed, and prior to execution, each proposed contract form must be approved by the Secretary, or pursuant to delegated or redelegated authority, the Commissioner of Reclamation or one of the Regional Directors. In some instances, congressional review and approval of a report, water rate, or other terms and conditions of the contract may be involved. The identity of the approving officer, and other information pertaining to a specific contract proposal, may be obtained by calling or writing the appropriate regional office at the address and telephone number given for each region.

This notice is one of a variety of means being used to inform the public about proposed contractual actions. Individual notices of intent to negotiate, and other appropriate announcements, are made in the **Federal Register** for those actions found to have widespread public interest. When this is the case, the date of publication is given.

Acronym Definitions Used Herein:
(FR) Federal Register
(ID) Irrigation District
(IDD) Irrigation and Drainage District
(M&I) Municipal and Industrial
(D&MC) Drainage and Minor Construction
(R&B) Rehabilitation and Betterment
(O&M) Operation and Maintenance
(CAP) Central Arizona Project
(CUP) Central Utah Project
(CVP) Central Valley Project
(P–SMBP) Pick-Sloan Missouri Basin Program
(CRSP) Colorado River Storage Project
(SRPA) Small Reclamation Projects Act
(BCP) Boulder Canyon Project

Pacific Northwest Region: Bureau of Reclamation, 550 West Fort Street, Box 043, Boise, Idaho 83724, telephone (208) 554–1160.

1. Cascade Reservoir Water Users, Boise Project, Idaho: Repayment contracts for irrigation and M&I: 59,721 acre-feet of stored water in Cascade Reservoir.

2. Brewster Flat ID, Chief Joseph Dam Project, Washington: Amendatory repayment contract; land reclassification of approximately 360 acres to irrigable; repayment obligation to increase accordingly.

3. Individual Irrigators, M&I, and miscellaneous water users, Pacific Northwest Region, Idaho, Oregon, and Washington: Temporary (interim) water service contracts for surplus project water for irrigation or M&I use to provide up to 10,000 acre-feet of water annually for terms up to 5 years; Long-term contracts for similar service for up to 1,000 acre-feet of water annually.

4. Rogue River Basin water users, Rogue River Basin Project, Oregon: Water service contracts; $5 per acre-foot or $50 minimum per annum, terms up to 40 years.

5. Willamette Basin water users, Willamette Basin Project, Oregon: Water service contracts; $1.50 per acre-foot or $50 minimum per annum, terms up to 40 years.

6. IDs and similar water user entities: Amendatory repayment and water service contracts; purpose is to conform to the Reclamation Reform Act of 1982 (Pub.L. 97–293).

7. Fifty-six Palisades Reservoir Spaceholders, Minidoka Project, Idaho-Wyoming: Contract amendments to extend term for which contract water may be subleased to other parties.

8. South Columbia Basin ID, Columbia Basin Project, Washington: Supplemental repayment contract for Irrigation Block 24; 1,892 irrigable acres.

9. City of Cle Elum, Yakima Project, Washington: Amendatory or replacement M&I water service contract; 2,200 acre-feet (1,350 gallons per minute) annually for a term of up to 40 years.

10. Three IDs, Flathead Indian Irrigation Project: Repayment of costs associated with rehabilitation of irrigation facilities.

11. Baker Valley ID, Baker Project, Oregon: Irrigation water service contracts on a surplus interruptible basis to serve up to 13,000 acres; sale of excess capacity in Mason Reservoir (Phillips Lake) for a term of up to 40 years.

12. Crooked River Project, Oregon: Repayment of water service contracts with several individuals for a total of approximately 1,100 acre-feet of project water; contract terms up to 40 years for the purpose of supplying water under the project water right held by the United States.

13. Various Projects PN Region: R&B contracts for replacement of needle valves at storage dams.

14. Palisades Water Users Inc., Minidoka-Palisades Projects: Repayment contract for an additional 500 acre-feet of storage in Palisades Reservoir.

15. Willow Creek Project, Oregon: Repayment of water service contracts for a total of up to 3,500 acre-feet of storage space in Willow Creek Reservoir.

Mid-Pacific Region: Bureau of Reclamation (Federal Office Building), 2800 Cottage Way, Sacramento, California 95825, telephone (916) 460–5030.

1. Colusa Drain Mutual Water Company, CVP, California: Water right settlement contract: FR notice published July 25, 1979, Vol. 44, page 43535.

2. Tuolumne Regional Water District, CVP, California: Water service contract, up to 9,000 acre-feet from New Melones Reservoir.

3. Calaveras County Water District, CVP, California: Water service contract; 400 acre-feet from New Melones Reservoir; FR notice published February 5, 1982, Vol. 47, page 5473.

4. Individual irrigators, M&I, and miscellaneous water users, Mid-Pacific Region, California, Oregon, and Nevada: Temporary (interim) water service contracts for available project water for irrigation, M&I or fish and wildlife purposes providing up to 10,000 acre-feet of water annually for terms up to 5 years; Temporary Warren Act contracts to wheel nonproject water through project facilities for terms up to 1 year; long-term contracts for similar service for up to 1,000 acre-feet of water annually.

5. Friant-Kern Canal Contractors, Friant-Kern Unit, CVP, California: Renewal of existing long-term water service contracts with numerous contractors on the Friant-Kern Canal whose contracts expire 1989–1995. Water quantities in existing contracts range from 1,200 to 175,440 acre-feet.

6. South San Joaquin ID and Oakdale ID, CVP, California: Operating agreement for conjunctive operation of New Melones Dam and Reservoir on the

Stanislaus River; FR notice published June 6, 1979, Vol. 44, page 32483.

7. San Luis Water District, CVP, California: Amendatory water service contract providing for a change in point of delivery from Delta-Mendota Canal to the San Luis Canal.

8. ID's and similar water user entities: Amendatory repayment and water service contracts; purpose is to conform to the Reclamation Reform Act of 1982 (Pub. L. 97–293).

9. State of California, CVP, California: Contract(s) for, (1) sale of interim water to the Department of Water Resources for use by the State Water Project Contractors, and (2) acquisition of conveyance capacity in the California Aqueduct for use by the CVP, as contemplated in the Coordinated Operations Agreement.

10. Madera ID, Madera Canal, CVP, California: Warren Act contract to convey and/or store nonproject Soquel water through project facilities.

11. County of Tulare, CVP, California: Amendatory water service contract, to provide an additional 1,908 acre-feet and reallocate 400 acre-feet of water from the Ducor ID for a total increase of 2,308 acre-feet.

12. Panoche Water District, CVP, California: Amendatory water service contract providing for change in point of delivery from Delta-Mendota Canal to the San Luis Canal.

13. Shasta Dam Area Public Utilities District, CVP, California: Renewal of M&I water supply contract. Less than 6,000 acre-feet.

14. U.S. Fish and Wildlife Service, CVP, California: Long-term contract for water supply for Federal refuge in Grasslands area of California.

15. City of Redding, CVP, California: Amendatory M&I water supply contract.

16. Washoe County Water Conservation District, Truckee Storage Project, Nevada: Repayment contract for the replacement of two needle valves at Boca Dam.

17. Placer County Water Agency, CVP, California: Amend existing water right and water service contract to include current water rates, standard contract language and diversion of Project water at other than the Auburn Dam site.

18. Glide Water District, CVP, California: Amendatory Public Law 84–130 repayment contract.

Upper Colorado Region: Bureau of Reclamation, P.O. Box 11568 (125 South State Street), Salt Lake City, Utah 84147, telephone (801) 598–7652.

1. Individual irrigators, M&I, and miscellaneous water users, Utah, Wyoming, Colorado, and New Mexico: Temporary (interim) water service contracts for surplus project water for irrigation or M&I use to provide up to 10,000 acre-feet of water annually for terms up to 5 years; long-term contracts for similar service for up to 1,000 acre-feet of water annually.

(a) The Benevolent and Protective Order of the Elks, Lodge No. 1747, Farmington, New Mexico: Navajo Reservoir water service contract; 20 acre-feet per year for municipal use; contract term for 40 years from execution.

(b) Sunterra Gas Processing Company (formerly Southern Union Gas Company): Navajo Reservoir water service contract; 50 acre-feet per year for industrial use; contract term for 40 years from execution.

2. Revised Hydrological Determination: A hydrologic determination was last made for the Upper Colorado River in December 1984 with the principal conclusion that the Upper Basin could support a depletion level of at least 5.8 million acre-feet. Upon the request of the Secretary of the New Mexico Interstate Stream Commission, a review of water availability in the Upper Basin has been undertaken with regard to the water supply available for use in New Mexico.

3. La Plata Conservancy District, Animas-La Plata Project, New Mexico: Repayment contract; 9,900 acre-feet per year for irrigation. Contract terms consistent with binding cost sharing agreement, dated June 30, 1986.

4. San Juan Water Commission, Animas-La Plata Project, New Mexico: M&I repayment contract; 30,800 acre-feet per year. Contract terms consistent with binding cost sharing agreement, dated June 30, 1986.

5. Southern Ute Indian Tribe, Animas-La Plata Project, Colorado: Repayment contract for 26,500 acre-feet per year for M&I use and 2,600 acre-feet per year for irrigation use in Phase One and 3,300 acre-feet in Phase Two. Contract terms to be consistent with binding cost sharing agreement and water rights settlement agreement, in principle.

6. Ute Mountain Ute Trib, Animas-La Plata Project, Colorado and New Mexico: Repayment contract; 6,000 acre-feet per year for M&I use in Colorado; 26,400 acre-feet per year for irrigation use in Colorado; 900 acre-feet per year for irrigation use in New Mexico. Contract terms to be consistent with binding cost sharing agreement and water rights settlement agreement.

7. Navajo Indian Tribe, Animas-La Plata Project, New Mexico: Repayment contract; 7,600 acre-feet per year for M&I use.

8. Grand Valley Water Users Association, Orchard Mesa ID, Grand Valley Project, Colorado: Contract to continue O&M of Grand Valley powerplant.

9. Ute Mountain Ute Indian Tribe, Dolores Project, Colorado: Agreement for 1,000 acre-feet per year for M&I use and 22,900 acre-feet per year for irrigation.

10. Emery County Water Conservancy District, Utah Power and Light, Emery County Project Utah: New repayment contract with Utah Power and Light for the purchase of approximately 2,600 acre-feet of project water; amendatory contract with Emery County Water Conservancy District relieving it of its repayment obligation for the 2,600 acre-feet of project water.

11. Currant Creek Irrigation Company, Central Utah Water Conservancy District, Bonneville Unit, CUP, Utah: Option, Operation, Maintenance and Exchange Agreement, which will allow the United States a perpetual use of Mona Dam and Reservoir, the right to exchange the irrigation company's water with project water, and to modify the company's existing canal.

12. Three separate contracts with (1) Tri-County Water Conservancy District, (2) Menoken Water Company and (3) Chipeta Water Company, Lower Gunnison Basin Unit, Colorado: Provides for funding, construction, modification, O&M of each entity's domestic water system.

13. Uintah Water Conservation District, Jensen Unit, CUP, Utah: Amendatory repayment contract to reduce M&I water supply and corresponding repayment obligation.

Lower Colorado Region: Bureau of Reclamation, P.O. Box 427 (Nevada Highway and Park Street), Boulder City, Nevada 89005, telephone (702) 588–5435.

1. Amendment to Contract No. 176r–696 between the Bureau of Reclamation and the Department of the Army to increase the maximum amount of water delivered to the Yuma Proving Grounds from 55 acre-feet to 975 acre-feet, pursuant to the recommendation of the Arizona Department of Water Resources.

2. Agricultural and M&I water users, CAP, Arizona: Water service subcontracts; a certain percent of available supply for irrigation entities and up to 640,000 acre-feet per year for M&I use.

3. Southern Arizona Water Rights Settlement Act; sale of up to 28,200 acre-feet per year of municipal effluent to the city of Tucson, Arizona.

4. Contracts with five agricultural entities located near the Colorado River, BCP, Arizona: Water service contracts for up to 1,920 acre-feet per year total.

5. Gila River Indian Community, CAP, Arizona: Water service contract; contract for delivery of up to 173,100 acre-feet per year.

6. Sunset Mobile Home Park, BCP, Arizona: Amendatory M&I water service contract for delivery of 30 acre-feet of water per year, pursuant to the recommendation of Arizona Department of Water Resources.

7. ID's and similar water user entities: Amendatory repayment and water service contracts; purpose is to conform to the Reclamation Reform Act of 1982 (Pub. L. 97–293).

8. Indian and non-Indian agricultural and M&I water users, CAP, Arizona: Contracts for repayment of Federal expenditures for construction of distribution systems.

9. Water delivery contracts, BCP, Arizona: For a yet undetermined amount of Colorado River water for M&I use on State-owned land.

10. Contract with BCP, Arizona: For a yet undetermined amount of Colorado River water for agricultural use and related purposes on State-owned land.

11. Contract with five individual holders of miscellaneous present perfected rights to Colorado River water totaling 66 acre-feet, pursuant to the January 9, 1979, Supplemental Decree of the United States Supreme Court in *Arizona* v. *California* (439 U.S. 419).

12. AK–Chin Indian Community, Maricopa, Arizona: Repayment contract for $1.6 million SRPA escalation loan.

13. Contracts for delivery of surplus water from the Colorado River, when available, with Emilio Soto and Sons, for 1,836 acre-feet per year; Kennedy Livestock, for 480 acre-feet per year.

14. Ramona Municipal Water District, Ramona, California: Repayment contract for $6.8 million SRPA escalation loan.

15. Central Arizona Water Conservation District, CAP, Arizona: Amendatory contract; to increase the district's CAP repayment ceiling and to update other provisions of the contract.

16. Maricopa-Stanfield and Central Arizona IDDs, CAP, Arizona: Contract to establish a Santa Rosa Canal administrative committee and to transfer O&M of the canal to Maricopa-Stanfield, CAP, Arizona.

17. Imperial ID and/or the Coachella Valley Water District, BCP, California: Providing for exchange of up to 10,000 acre-feet of water per year from a well field to be constructed adjacent to the All-American Canal for an equivalent amount of Colorado River water and for O&M of the well field, Lower Colorado Water Supply Project, California.

18. Lower Colorado Water Supply Project, California: Water service and repayment contracts with nonagricultural users in California for consumptive use of up to 10,000 acre-feet of Colorado River water per year in exchange for an equivalent amount of water to be pumped into the All-American Canal from a well field to be constructed adjacent to the canal.

19. Havasu Water, BCP, Arizona: M&I water service contract for delivery of 993 acre-feet of water per year, pursuant to the recommendation of the Arizona Department of water Resources.

20. M&B Investment Company, BCP, Arizona: M&I water service for development of a motor home resort in amounts of up to 1,309 acre-feet of water per yer, pursuant to the recommendation of the Arizona Department of Water Resources.

21. Golden Shores Water Conservation District, BCP Arizona: M&I water service for lands within the district and adjacent areas for delivery of up to 2000 acre-feet of Colorado River water per year pursuant to the recommendation of the Arizona Department of Water Resources.

22. Hutchison Present Perfected Rights contract amendment to reflect the transfer of part of the right to Winterhaven, California, Supreme Court Decree in *Arizona* vs. *California* and BCP.

23. Winterhaven Present Perfected Rights contract for portion of Hutchison Present Perfected Rights transfer to Winterhaven, Supreme Court Decree in *Arizona* v. *California* and BCP.

24. Yuma County and Yuma County Water User's Association, Arizona: Contract for construction, operation, maintenance, and replacement of 10 additional drainage wells in the Yuma Valley, Colorado River Front Work and Levee System, Arizona.

Southwest Region: Bureau of Reclamation, Commerce Building, Suite 201, 714 South Tyler, Amarillo, Texas 79101, telephone (806) 735–5430.

1. Foss Reservoir Master Conservancy District, Washita Basin Project, Oklahoma: Amendatory repayment contract for remedial work.

2. Vermejo Conservancy District, Vermejo Project, New Mexico: Amendatory contract to relieve the district of further repayment obligation, presently exceeding $2 million, pursuant to Public Law 96–550.

3. Hidalgo County ID No. 1, Lower Rio Grande Valley, Texas: Supplemental SRPA loan contract for approximately $13,205,000. The contracting process is dependent upon final approval of the supplemental loan report.

4. ID's and similar water user entities: Amendatory repayment and water service contracts; Purpose is to conform with the Reclamation Reform Act of 1982 (P.L. 97–293).

5. Rio Grande Water Conservation District, Alamosa, Colorado: Contract for the district to be the vender of the Closed Basin Division, San Luis Valley Project, surplus water if available.

6. Carlsbad ID, Carlsbad Project, New Mexico; Repayment contract for the costs incurred by the United States for replacing the needle valves at Fort Sumner Dam.

7. Conejos Water Conservancy District, San Luis Valley Project, Colorado: Amendatory contract to place OM&R costs on a variable basis commensurate with the availability of project water.

8. Arbuckle Master Conservancy District, Arbuckle Project, Oklahoma: Contract for the repayment of costs incurred by the United States for the construction of the Sulphur, Oklahoma, pipeline and pumping plant (if constructed).

9. Town of Bernalillo, New Mexico, San Juan-Chama Project, Colorado-New Mexico—Negotiate a repayment contract with the town of Bernalillo for a municipal water supply of 400 acre-feet of water from the San Juan-Chama Project in New Mexico.

10. Department of Energy, San Juan-Chama Project, Colorado-New Mexico: Amendatory contract to increase the ceiling on the operation, maintenance, and replacement charges that may be paid by the Department of Energy in any one year.

Missouri Basin Region: Bureau of Reclamation, P.O. Box 36900, Federal Building, 316 North 26th Street, Billings, Montana 59107–6900, telephone (406) 585–6413.

1. Individual irrigators, M&I, and miscellaneous water users, Missouri Basin Region, Montana, Wyoming, North Dakota, South Dakota, Colorado, Kansas, and Nebraska: Temporary (interim) water service contracts for surplus project water for irrigation or M&I use to provide up to 10,000 acre-feet of water annually for terms up to 5 years; long-term contracts for similar service for up to 1,000 acre-feet of water annually.

2. Nokota Company, Lake Sakakawea, P–SMBP, North Dakota: Industrial water service contract; up to 16,800 acre-feet of water annually; FR notice published May 5, 1982, Vol. 47, Page 19472.

3. Fort Shaw ID, Sun River Project, Montana: R&B loan repayment contract; up to $1.5 million.

4. ID's and similar water user entities: Amendatory repayment and water service contracts; purpose is to conform

to the Reclamation Reform Act of 1982 (Pub. L. 97–293).

5. Oahe Unit, P–SMBP, South Dakota: Cancellation of master contract and participating and security contracts in accordance with Pub. L. 97–293 with South Dakota Board of Water and Natural Resources and Spink County and West Brown ID.

6. Owl Creek ID, Owl Creek Unit, P–SMBP, Wyoming: Amendatory water service contract to reflect water supply benefits being received from Anchor Reservoir.

7. Almena ID No. 5, Almena Unit, P–SMBP, Kansas; Deferment of repayment obligation for 1986.

8. Webster Id No. 4, Webster Unit, P–SMBP, Kansas: Deferment of repayment obligation for 1986.

9. Green Mountain Reservoir, Colorado-Big Thompson Project: Water service contract; proposed contract negotiations for sale of water from the marketable yield to water users within the Colorado River Basin of Western Colorado.

10. Ruedi Reservoir, Fryingpan-Arkansas Project, Colorado: Water service contract; second proposed contract negotiations for sale of water from the regulatory capacity of Ruedi Reservoir.

11. Lower South Platte Water Conservancy District, Central Colorado Water Conservancy District, and the Colorado Water Resources and Power Development Authority, Narrows Unit, P–SMBP, Colorado; water service contracts for repayment of costs and cost sharing agreement.

12. Fryingpan-Arkansas Project, Colorado: East Slope Storage system consisting of Pueblo Reservoir, Twin Lakes, and Turquoise Reservoir; Contract negotiations for temporary and long-term storage and exchange contracts.

13. Cedar Bluff ID No. 6 and the State of Kansas, Cedar Bluff Unit, P–SMBP, Kansas: Repayment contract: Negotiate contract with the State of Kansas for use of all or part of the conservation pool of Cedar Bluff Reservoir for recreation, and fish and wildlife purposes for payment of the irrigation district's cost obligation. Amend the Cedar Bluff ID's contract to relieve it of all contract obligations.

14. Department of Natural Resources and Conservation, SRPA, Montana: Grant and loan contrct for rehabilitation of Middle Creek Dam to meet required safety criteria and to increase reservoir storage capacity by 2,334 acre-feet which will be utilized for irrigation and municipal purposes.

15. Garrison Diversion Unit, P–SMBP, North Dakota: Repayment contract; Renegotiation of the master repayment contract with Garrison Diversion Conservancy District to bring the terms in line with the Garrison Diversion Unit Reformulation Act of 1986. Negotiation of repayment contracts with irrigators and M&I users.

16. Southeastern Colorado Water Conservancy District: Amendatory contract to conform to the contract repayment provision to revised State statutes concerning the District's tax levy authority.

17. Gray Goose ID, Gray Goose Unit, P–SMBP, South Dakota: Contrct negotiations to integrate Gray Goose ID into the P–SMBP as authorized pursuant to section 1120 of the Water Resource Development Act January 21, 1986 (Pub. L. 99–662).

Opportunity for public participation and receipt of comments on contract proposals will be facilitated by adherence to the following procedures:

(1) Only persons authorized to act on behalf of the contracting entities may negotiate the terms and conditions of a specific contract proposal.

(2) Advance notice of meetings or hearings will be furnished to those parties that have made a timely written request for such notice to the appropriate regional or project office of the Bureau of Reclamation.

(3) All written correspondence regarding proposed contracts will be made available to the general public pursuant to the terms and procedures of the Freedom of Information Act (80 Stat. 383), as amended.

(4) Written comments on a proposed contract or contract action must be submitted to the appropriate Bureau of Reclamation officials at locations and within the time limits set forth in the advance public notices.

(5) All written comments received and testimony presented at any public hearings will be reviewed and summarized by the appropriate regional office for use by the contract approving authority.

(6) Copies of specific proposed contracts may be obtained from the appropriate Regional Director or his designated public contact as they become available for review and comment.

(7) In the event modifications are made in the form of proposed contract, the appropriate Regional Director shall determine whether republication of the notice and/or extension of the 60-day comment period is necessary.

Factors which shall be considered in making such a determination shall include, but are not limited to: (i) The significance of the impacts(s) of the modification and (ii) the public interest which has been expressed over the course of the negotiations. As a minimum, the Regional Director shall furnish revised contracts to all parties who requested the contract in response to the initial public notice.

Date: November 2, 1987.

C. Dale Duvall,

Commissioner of Reclamation.

[FR Doc. 87–25744 Filed 11–5–87; 8:45 am]

BILLING CODE 4310–09–M

National Park Service

San Antonio Missions National Historical Park; Revision of Park Boundaries

Section 201(b) of the Act of November 10, 1978 (92 Stat. 3636, 16 U.S.C. 410ee), provides for the establishment of San Antonio Missions National Historical Park, and authorizes the United States to acquire, by donation, purchase with donated or appropriated funds, or exchange:

(1) Lands and interests therein at Mission Nuestra Senora de la Purisima Concepcion de Acuna (herein referred to as Mission Concepcion), which the Secretary of the Interior determines are necessary or desirable to provide for public access, interpretation, and protection;

(2) The Espada Acequia, the section of approximately 5 miles along the west side of and parallel to the San Antonio River, including the laterals; and,

(3) The San Juan Acequia, on the east side of the San Antonio River. An easement was donated to the United States of America, on June 17, 1982, which included the lands and waters comprising the San Juan Acequia.

Therefore, notice is hereby given that, in accordance with the Act of November 10, 1978, the boundaries of the San Antonio Missions National Historical Park are revised to include:

(1) The entire site of the original compound of Mission Concepcion, and delete a small portion for the City of San Antonio's realignment of Mission Road, at the intersection of Mission Road and Mitchell Street;

(2) Approximately 5 miles of the Espada Acequia along the west side of and parallel to the San Antonio River; and,

(3) The entire San Juan Acequia, as shown on a map entitled "Boundary Map, San Antonio Missions National Historical Park," Drawing No. 472/80,060, dated June 1, 1987. This map is on file and available for inspection in

the office of the National Park Service, Department of the Interior; the Office of the Southwest Region, National Park Service; and the Office of the Superintendent, San Antonio Missions National Historical Park.

Dated: October 16, 1987.

Donald Paul Hodel,

Secretary of the Interior.

[FR Doc. 87-25783 Filed 11-5-87; 8:45 am]

BILLING CODE 4310-70-M

Intention To Negotiate Concession Contract; Lang Seafood Inc.

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that sixty (60) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Lang Seafood, Inc., authorizing it to continue to provide passenger ferry service for the public within Cumberland Island National Seashore for a period of five (5) years from January 1, 1988, through December 31, 1992.

This contract renewal has been determined to be categorically excluded from the procedural provisions of the National Environmental Policy Act and no environmental document will be prepared.

The foregoing concessioner has performed its obligations to the satisfaction of the Secretary under an existing contract which expires by limitation of time on December 31, 1987, and therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract as defined in 36 CFR 51.5.

The Secretary will consider and evaluate all proposals received as a result of this notice. Any proposal, including that of the existing concessioner, must be postmarked or hand delivered on or before the sixtieth (60th) day following publication of this notice to be considered and evaluated. Interested parties should contact the Regional Director, Southeast Region, 75 Spring Street, SW., Atlanta, Georgia 30303, for information as to the requirements of the proposed contract.

C.W. Ogle,

Acting Regional Director, Southeast Region.

[FR Doc. 87-25782 Filed 11-5-87; 8:45 am]

BILLING CODE 4310-70-M

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

Availability of Final Environmental Assessment and Finding of No Significant Impact

AGENCY: United States Section, International Boundary and Water Commission, United States and Mexico.

ACTION: Notice of Availability of Final Environmental Assessment and Finding of No Significant Impact.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Final Regulations (40 CFR Parts 1500-1508); and the U.S. Section's Operational Procedures for Implementing section 102 of the National Environmental Policy Act (NEPA), published in the **Federal Register** September 2, 1981 (46 FR 44083), the U.S. Section hereby gives notice that the Final Environmental Assessment and Finding of No Significant Impact for the proposed action to construct a facility in Smuggler Gulch on the international boundary at Baja California, Mexico and San Diego County, California to capture fugitive sewage flows from the City of Tijuana, Mexico are available. A finding of no significant impact dated September 1, 1987 provided a thirty (30) day comment period before making the finding final. The Notice was published in the **Federal Register** on September 11, 1987 (52 FR 34429).

FOR FURTHER INFORMATION CONTACT: Mr. M. R. Ybarra, U.S. Section Secretary, International Boundary and Water Commission, United States and Mexico; United States Section; The Commons, C-310; 4171 North Mesa; El Paso, Texas 79902. Telephone: (915) 534-6698, FTS 570-6698.

SUPPLEMENTARY INFORMATION:

Proposed Action

The action proposed is that the Government of the United States join with the Government of Mexico, through the International Boundary and Water Commission (Commission), to construct, operate and maintian a surface flow collection facility in Smuggler Gulch on the international boundary. The proposed project is designed to capture fugitive sewage spills from Tijuana flowing through this canyon into the Tijuana River flood plain on the United States side of the international boundary and to return the fugitive flows to the Tijuana sewage system.

The proposed action fulfills, for Smuggler Gulch, resolution number 9 in Commission Minute Number 270 (April 30, 1985), where Mexico agrees to accept in its treatment and disposal system uncontrolled sewage captured in the United States. The U.S. Section adopted in April 1985 a finding of no significant impact based on a final environmental assessment for this agreement to solve the border sanitation problem in the Tijuana-San Diego area. The IBWC interceptor system was placed in operation for this same purpose on three drains east of Smuggler Gulch following a finding of no significant impact based on a final environmental assessment in September 1985.

Alternatives Considered

Two alternatives were considered:

The Proposed Action Alternative provides for construction of a diversion dike and sediment settling pond located within Mexico and a pump station with about 2,000 linear feet of 12-inch steel pipeline along and parallel to the international boundary within the United States.

The proposed facility is planned to capture up to four (4) million gallons per day of fugitive sewage flows from Smuggler Gulch. Solids and sediment will settle out in Mexico prior to being pumped along the United States side to a location atop Spooner's Mesa where the capture flows will be returned to the Tijuana sewage system in Mexico.

The No Action Alternative will result in no anticipated change in existing conditions. Fugitive flows of raw sewage will continue to enter the lower Tijuana River Valley from Smuggler Gulch. Because the present situation is unacceptable and will only worsen if nothing is done, the "no action" alternative has been rejected.

Availability

Single copies of the Final Environmental Assessment and Finding of No Significant Impact may be obtained by request at the above address.

Date: October 28, 1987.

Suzette Zaboroski,

Staff Counsel.

[FR Doc. 87-25800 Filed 11-5-87; 8:45 am]

BILLING CODE 4710-03-M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 31134]

Railroad Operations; North Carolina & Virginia Railroad Co.; Acquisition and Operation Exemption, Delford, NC, Rail Lines

The North Carolina & Virginia Railroad Company (NC&V) has filed a

notice of exemption to purchase and operate approximately 53.1 miles of railroad extending between Boykins, VA (M.P. SAB 54.3) and Kelford, NC (M.P. SAB 84.3), and between Kelford, NC (M.P. AB 162.6) and Tunis, NC (M.P. AB 185.7). The line will be acquired from CSX Transportation, Inc. (CSX). The agreement betweeen NC&V and CSX is to be consummated on or about October 30, 1987.

This transaction will also involve the issuance of securities by NC&V, which will be a Class III carrier. The issuance of these securities will be an exempt transaction under 49 CFR 1175.1.

A transaction relating to the control of NC&V is the subject of a notice of exemption filed concurrently in Finance Docket No. 31135, *Railtex, Inc.—Continuance in Control Exemption—North Carolina & Virginia Railroad Company, Austin Railroad Company, Inc., and San Diego & Imperial Valley Railroad Company.* Any comments must be filed with the Commission and served on Mark M. Levin, of Weiner, McCaffrey, Brodsky & Kaplan, P.C., 1350 New York Avenue, NW., Suite 800, Washington, DC 20005–4797, and Dave Hemphill, CSX Transportation, Inc., 500 Water St., Jacksonville, FL 32202.

The notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the tansaction.

Decided: October 19, 1987.

By the Commission, Jane F. Mackall, Director, Office of Proceedings.

Noreta R. McGee,

Secretary.

[FR Doc. 87–25421 Filed 11–5–87; 8:45 am]

BILLING CODE 7035–01–M

[Finance Docket No. 31135]

Railtex, Inc.; Continuance in Control Exemption; North Carolina & Virginia Railroad Co., Austin Railroad Co., Inc., and San Diego & Imperial Valley Railroad Co.

Railtex, Inc. (Railtex) has filed a notice of exemption under 49 CFR 1180.4(g) regarding its continuance in control of the North Carolina & Virginia Railroad Company (NC&V), the Austin Railroad Company, Inc. (AR), and the San Diego & Imperial Valley Railroad Company (SD&IV), under the provisions of 49 CFR 1180.2(d)(2). NC&V, a wholly-owned non-carrier subsidiary of Railtex, has filed concurrently a notice of exemption in Finance Docket No. 31134, *North Carolina & Virginia Railroad Company—Acquisition and Operation Exemption—Kelford, NC, Rail Lines.* There, NC&V seeks an exemption to purchase and operate a 53.1-mile line of railroad between Boykins, VA, and Kelford, NC, and between Kelford, NC, and Tunis, NC. The line will be purchased from CSX Transportation, Inc. (CSX).

Railtex indicates that: (1) The railroads will not connect with each other or any railroad in their corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; and (3) the transaction does not involve a class I carrier. Therefore, this transaction involves the continuance in control of a non-connecting carrier, and is exempt from the prior review requirements of 49 U.S.C. 11343. *See* 49 CFR 1180.2(d)(2).

As a condition to the use of this exemption, any employees affected by the transaction will be protected by the conditions set forth in *New York Dock. Ry.—Control—Brooklyn Eastern Dist.,* 360 I.C.C. 60 (1979).[1]

Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: October 19, 1987.

By the Commission, Jane F. Mackall, Director, Office of Proceedings.

Noreta R. McGee,

Secretary

[FR DOC. 87–25420 Filed 11–5–87; 8:45 am]

BILLING CODE 7035–01–M

[Docket No. AB–18 (Sub-No. 104X)]

Railroad Services; Chesapeake and Ohio Railway Co.; Abandonment Exemption; Somerset County, PA

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts from the prior approval requirements of 49 U.S.C. 10903, *et seq.,* the abandonment by The Chesapeake and Ohio Railway Company of 11.90 miles of rail line extending between Summit and Gray in Somerset County, PA, subject to standard labor protective conditions.

DATES: This exemption will be effective on December 6, 1987. Petitions to stay must be filed by November 23, 1987. Petitions for reconsideration must be filed by December 1, 1987.

ADDRESSES: Send pleadings referring to Docket No. AB–18 (Sub-No. 104X) to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423

(2) Petitioner's representative: R. Lyle Key, Jr., 500 Water Street, Jacksonville, FL 32202

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 275–7245. [TDD for hearing impaired: (202) 275–1721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to Dynamic Concepts, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423, or call (202) 289–4357/4359 (DC Metropolitan area), (assistance for the hearing impaired is available through TDD services (202) 275–1721 or by pickup from Dynamic Concepts, Inc., in Room 2229 at Commission headquarters).

Decided: October 29, 1987.

By the Commission, Chairman Gradison, Vice Chairman Lamboley, Commissioner Sterrett, Andre, and Simmons. Commissioner Simmons dissented with a separate expression.

Noreta R. McGee,

Secretary.

[FR Doc. 87–25738 Filed 11–5–87; 8:45 am]

BILLING CODE 7035–01–M

[1] The Railway Labor Executives' Association has requested the imposition of labor protective conditions. Because this transactin falls within the scope of 49 U.S.C. 11343, such conditions have been imposed routinely.

DEPARTMENT OF LABOR

Employment and Training Administration

Federal-State Unemployment Compensation Program; Certifications Under The Federal Unemployment Tax Act For 1987

On October 31, 1987, the Secretary of Labor signed the annual certifications under the Federal Unemployment Tax Act, 26 U.S.C. 3301 et seq., thereby enabling employers who make contributions to State unemployment funds to obtain certain credits for their liability for the Federal unemployment tax. By letter of the same date the certifications were transmitted to the Secretary of the Treasury. The letter and the certifications are printed below.

Dated: October 31, 1987.

Roger D. Semerad,

Assistant Secretary of Labor.

October 31, 1987

The Honorable James A. Baker, III
Secretary of the Treasury, Washington, DC 20220

Dear Jim: Transmitted herewith are an original and one copy of the certifications of the States and their unemployment compensation laws for the 12-month period ending October 31, 1987. One is required with respect to normal Federal unemployment tax credit by Section 3304 of the Internal Revenue Code of 1986, and the other is required with respect to additional tax credit by Section 3303 of the Code.

The certification pursuant to Section 3304 lists all 53 jurisdictions. The certification pursuant to Section 3303 omits Puerto Rico because the unemployment compensation law of this jurisdiction contains no experience rating provisions and permits no reduced rates of contributions.

Very truly yours,

William E. Brock.

Enclosures.

Certification of States to the Secretary of the Treasury Pursuant to Section 3304 of the Internal Revenue Code of 1986

In accordance with the provisions of section 3304(c) of the Internal Revenue Code of 1986 (26 U.S.C. 3304(c)), I hereby certify the following named States to the Secretary of the Treasury for the 12-month period ending on October 31, 1987, in regard to the unemployment compensation laws of those States which heretofore have been approved under the Federal Unemployment Tax Act:

State	
Alabama	Nebraska
Alaska	Nevada
Arizona	New Hampshire
Arkansas	New Jersey
California	New Mexico
Colorado	New York
Connecticut	North Carolina
Delaware	North Dakota
District of Columbia	Ohio
Florida	Oklahoma
Georgia	Oregon
Hawaii	Pennsylvania
Idaho	Puerto Rico
Illinois	Rhode Island
Indiana	South Carolina
Iowa	South Dakota
Kansas	Tennessee
Kentucky	Texas
Louisiana	Utah
Maine	Vermont
Maryland	Virginia
Massachusetts	Virgin Islands
Michigan	Washington
Minnesota	West Virginia
Mississippi	Wisconsin
Missouri	Wyoming
Montana	

This certification is for the maximum normal credit allowable under section 3302(a) of the Code.

Signed at Washington, DC, on October 31, 1987.

William E. Brock,

Secretary of Labor.

Certification of State Unemployment Compensation Laws To The Secretary of The Treasury Pursuant To Section 3303(b)(1) of The Internal Revenue Code of 1986

In accordance with the provisions of paragraph (1) of section 3303(b) of the Internal Revenue Code of 1986 (26 U.S.C. 3303(b)(1)), I hereby certify the unemployment compensation laws of the following named States, which heretofore have been certified pursuant to paragraph (3) of section 3303(b) of the Code, to the Secretary of the Treasury for the 12-month period ending on October 31, 1987.

State	
Alabama	Montana
Alaska	Nebraska
Arizona	Nevada
Arkansas	New Hampshire
California	New Jersey
Colorado	New Mexico
Connecticut	New York
Delaware	North Carolina
District of Columbia	North Dakota
Florida	Ohio
Georgia	Oklahoma
Hawaii	Oregon
Idaho	Pennsylvania
Illinois	Rhode Island
Indiana	South Carolina
Iowa	South Dakota
Kansas	Tennessee
Kentucky	Texas
Louisiana	Utah
Maine	Vermont
Maryland	Virginia
Massachusetts	Virgin Islands
Michigan	Washington
Minnesota	West Virginia
Mississippi	Wisconsin
Missouri	Wyoming

This certification is for the maximum additional credit allowable under section 3302(b) of the Code.

Signed at Washington, DC, on October 31, 1987.

William E. Brock,

Secretary of Labor.

[FR Doc. 87-25794 Filed 11-5-87; 8:45am]

BILLING CODE 4510-30-M

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good case is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the Federal Register, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, togehter with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued

Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3504, Washington, DC 20210.

Modifications to General Wage Determination Decisions

The numbers of the decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume, State, and page number(s). Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

None:

Volume II

Illinois:
IL87-1 (Jan. 2, 1987) ..... p. 71.
Kansas:
KS87-8 (Jan. 2, 1987)..... p. 356.
Minnesota:
MN87-5 (Jan. 2, 1987)..... pp. 532,538.
MN87-7 (Jan. 2, 1987)..... pp. 542-547, pp. 553, 555, p. 560.
MN87-8 (Jan. 2, 1987)..... pp. 562-567, p. 572.
Texas:
TX87-10 (Jan. 2, 1987)..... p. 947.

Volume III

Arizona:
AZ87-2 (Jan. 2, 1987)..... p. 17, pp. 23-24.

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the Country. Subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 783-3238.

When ordering subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the three separate volumes, arranged by State. Subscriptions include an annual edition (issued on or about January 1) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC, this 30th day of October 1987.

Alan L. Moss,

Director, Division of Wage Determinations.

[FR Doc. 87-25627 Filed 11-5-87; 8:45 am]

BILLING CODE 4510-27-M

Occupational Safety and Health Administration

Approval of Wyoming State Standards

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State Plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On May 3, 1974, notice was published in the **Federal Register** (39 FR 15394) of the approval of the Wyoming Plan and adoption of Subpart BB to Part 1952 containing the decision.

The Plan provides for the adoption of Federal Standards as State Standards by:

1. Advisory Committee coordination.

2. Publication in newspapers of general/major circulation with a 45-day waiting period for public comment and hearings.

3. Adoption by the Wyoming Health and Safety Commission. Derricks, 51 FR 34560, September 29, 1986; 29 CFR 1910.217, Mechanical Power Presses, 51 FR 34560, September 29, 1986; 29 CFR 1910.218, Forging Machines, 51 FR 34560, September 29, 1986; 29 CFR 1910.252, Welding, Cutting, and Brazing, 51 FR 34560, September 29, 1986; 29 CFR 1910.440, Commercial Diving Operations, 51 FR 34560, September 29, 1986.

The above adoptions of Federal standards have been incorporated in the State Plan, and are contained in the Wyoming Occupational Health and Safety Rules and Regulations for General Industry, as required by Wyoming Statute 1977, section 27-11-105(a)(viii).

State standards for 29 CFR 1910.19: Special Provisions for Air Contaminants, 29 CFR 1910.1025: Lead; and 29 CFR 1910.1047: Ethylene Oxide were adopted by the Health and Safety Commission of Wyoming on November 14, 1986 (effective December 19, 1986 for 1910.1025 and 1910.1047, and effective January 13, 1987 for 1910.19). State standards for 29 CFR 1910.68: Manlifts, 29 CFR 1910.106: Flammable and Combustible Liquids; 29 CFR 1910.157, Portable Fire Extinguishers; 29 CFR 1910.179: Overhead and Gantry Cranes; 29 CFR 1910.180: Crawler, Locomotive, and Truck Cranes; 29 CFR 1910.181: Derricks; 29 CFR 1910.217: Mechanical Power Presses; 29 CFR 1910.218: Forging Machines; 29 CFR 1910.252, Welding, Cutting, and Brazing; 29 CFR 1910.440: Commerical Diving Operations were all adopted by the Health and Safety Commission of Wyoming on January 30, 1987 (effective March 10, 1987), pursuant to Wyoming Statue 1977, section 27-11-105. These State standards are substantially identical to the Federal standard actions, except for the following minor differences: (a) Paragraph numbering; (b) minor wordage appropriate to the Wyoming statutes.

2. *Decision.* Having reviewed the State submissions in comparison with Federal standards, it has been determined that the State standards are substantially identical to the Federal standards, and are accordingly approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplements, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Room 1576, Federal Office Building, 1961 Stout Street, Denver, Colorado 80294; the Occupational Health and Safety Department, 604 East 25th Street, Cheyenne, Wyoming 82002; and the Office of State Programs, Room N-3700, 200 Constitution Avenue NW., Washington, DC 20210.

4. *Public Participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for any

other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplements to the Wyoming State Plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reason:

4. Review and approval by the Governor.

5. Filing with Secretary of State and designation of an effective date.

OSHA regulations (29 CFR 1953.22 and 23) require that States respond to the adoption of new or revised permanent Federal standards by State promulgation of comparable standards within six months of OSHA publication in the **Federal Register**, and within 30 days for emergency temporary standards. Although adopted State standards or revisions to standards must be submitted for OSHA's review and approval under procedures set forth in Part 1953, they are enforceable by the state prior to federal review and approval. By letter dated July 16, 1987, from Donald D. Owsley, Administrator, Wyoming Occupational Health and Safety Division, to Byron R. Chadwick, OSHA Regional Administrator, the State submitted rules and regulations in response to Federal OSHA's General Industry Standards (29 CFR 1910.19: Special Provisions for Air Contaminants, 51 FR 22733, June 20, 1986; 29 CFR 1910.68: Manlifts, 51 FR 34560, September 29, 1986; 29 CFR 1910.1025: Lead, 47 FR 51117, November 12, 1982; 29 CFR 1910.1047. Ethylene Oxide, 51 FR 25053, July 10, 1986; 29 CFR 1910.106: Flammable and Combustible Liquids, 51 FR 34560, September 29, 1986; 29 CFR 1910.157, Portable Fire Extinguishers, 51 FR 34560, September 29, 1986; 29 CFR 1910.179, Overhead and Gantry Cranes, 51 FR 34560, September 29, 1986; 29 CFR 1910.180, Crawler, Locomotive, and Truck Cranes, 51 FR 34560, September 29, 1986; 29 CFR 1910.181.

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective November 6, 1987.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 [29 U.S.C. 667])

Signed at Denver, Colorado, this 7th Day of August, 1987.

Harry C. Borchelt,

Acting Regional Administrator.

[FR Doc. 87-25553 Filed 11-5-87; 8:45 am]

BILLING CODE 4510-20-M

Pension and Welfare Benefits Administration

[Application No. D-7019]

Proposed Exemption for Certain Transactions

AGENCY: Pension and Welfare Benefits Administration, Labor.

ACTION: Notice of proposed exemption.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1954 (the Code). The proposed exemption would permit the direction of securities brokerage transactions by Alliance Capital Management Corporation (Alliance), on behalf of employee benefit plans for which it acts as investment manager and fiduciary (within the meaning of section 3(21) of the Act), to independent broker-dealers who have arrangements with an affiliate of Alliance, the Pershing Division (Pershing) of Donaldson, Lufkin and Jenrette Securities Corporation (DLJ Securities), to execute, clear and/or settle transactions for such independent broker-dealers.

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption, within the time period set forth below. All comments will be made a part of the record. Comments and requests for a hearing should state the reasons for the writer's interest in the pending exemption. Comments received will be available for public inspection with the application for exemption at the address set forth below.

DATES: Written comments and requests for a public hearing must be received by the Department within 45 days from the date of publication of this proposed exemption in the **Federal Register.**

ADDRESS: All written comments and requests for a hearing (at least three copies) should be sent to the Office of Regulations and Interpretations, Pension and Welfare Benefits Administration, Room N-5669, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210, Attention: Application No. D-7019. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of the Pension and Welfare Benefits Administration, U.S. Department of Labor, Room N-5507, 200 Constitution Avenue, NW., Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Sandra Bollhoefer of the Department, telephone (202) 523-7901. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: Notice is hereby given of the pendency before the Department of an application for exemption from the restrictions of section 406(b) of the Act and the sanctions resulting from the application of section 4975 of the Code by reason of section 4975(c)(1)(E) and (F). The proposed exemption was requested in an application filed by Alliance pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code, and in accordance with procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, this notice of pendency is issued solely by the Department.

The proposed exemption, if granted, will be subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transactions to be consummated pursuant to the exemption.

Summary of Facts and Representations

1. Alliance, a wholly-owned subsidiary of Equitable Investment Corporation (Equitable), is an investment adviser registered under the Investment Advisers Act of 1940 which manages on a discretionary and non-discretionary basis approximately 30 billion dollars in assets for, among others, employee pension benefit plans.

2. DLJ Securities, a broker-dealer registered under the Securities Exchange Act of 1934 and an investment adviser registered under the Investment Advisers Act of 1940, is a wholly-owned subsidiary of Donaldson, Lufkin and Jenrette, Inc., which, in turn, is a wholly-owned subsidiary of Equitable. Pershing, a division of DLJ Securities, is engaged almost entirely in providing execution, clearance, settlement and other transactional services to over 100 correspondent securities firms located throughout the country. None of the correspondents for which Pershing

performs these services is an affiliate of Alliance or DLJ Securities.

3. As part of its investment management activities, Alliance directs brokerage for its managed accounts to various broker-dealers in return for research services provided to Alliance by those firms. Some of the firms (the Pershing Correspondents) have entered into correspondent relationships with Pershing on an omnibus account [1] basis under which Pershing performs execution, clearance and settlement functions for those firms. Under those arrangements, a Pershing Correspondent is free to effect all or any portion of such functions either itself or through an entity other than Pershing. In the usual case, however, a Pershing Correspondent submits substantially all of its transactions to Pershing for the performance of one or more of those functions. The applicant represents that its selection of a broker-dealer (1) in order to obtain research services in connection with its performance of investment management functions for employee benefit plans, or (2) to effect transactions on behalf of such plans for which it acts as investment manager, is made in either case without refence to whether the broker-dealer is a Pershing Correspondent.

4. The submission of brokerage transactions by Alliance to Pershing Correspondents, which are then executed by the Correspondent or, in some instances, executed, cleared and/or settled through Pershing, will in those instances result in commissions being paid, in part, to the Pershing Correspondent and, in part, to Pershing. The application represents that the receipt of compensation by Pershing from Pershing Correspondents is not the result of any arrangement or agreement between Alliance and the Pershing Correspondent, but, rather, results from the independent selection by the Correspondent of Pershing to provide certain services in connection with the transaction.

5. Alliance does not know whether a particular transaction directed to a Pershing Correspondent will be executed, cleared and/or settled by Pershing. In addition, because of the arrangements Pershing has with its correspondents, Pershing is unable to identify Alliance's customer accounts on behalf of which Alliance has directed trades to Pershing Correspondents. For these reasons, and because the commission retained by Pershing that is attributable to a given transaction depends, among other things, upon the value of the transaction submitted to Pershing by the correspondent in question, Alliance is unable to determine precisely the extent to which the compensation Pershing receives is attributable to trades directed to Pershing Correspondents on behalf of an Alliance managed account.

6. The direction of plan brokerage transactions to Pershing Correspondents results in a sporadic, indirect use of Pershing for a small percentage of the transaction completion services employed in administering the plans. The annual amount of commissions directed by Alliance to Pershing Correspondents does not presently and will not in the future exceed 7 percent of the total annual commission business directed by Alliance to all brokers and dealers.[2] These transactions currently are being effected in compliance with the exemption provided by Prohibited Transaction Exemption (Class) 79–1 (PTE 79–1) [3] and Prohibited Transaction Exemption (Individual) 82–40 (PTE 82–40).[4] The conditions contained in PTE 79–1 and PTE 82–40, which modified certain of the PTE 79–1 requirements applicable to Alliance's direction of plan brokerage transactions through Pershing Correspondence, are in the opinion of Alliance unduly burdensome when compared to the informative value of the reports required thereunder. Similarily, the reports required by PTE 86–128,[5]

[1] An "omnibus account" is an arrangement pursuant to which the correspondent carries its customers' accounts and issues its own confirmations. Customarily, the correspondent maintains one account with Pershing in the correspondent's name through which the correspondent submits all of its omnibus trades to Pershing for execution, clearing and settlement. As a result, under an omnibus arrangement, Pershing does not know the identity of its correspondent's customers or persons exercising investment discretion over the customers' accounts.

[2] Pursuant to section 11(a)(1) of the Securities Exchange Act of 1934 and Rule 11a2–2(T) thereunder (17 CFR 240.11a2–2(T)), a member of a national securities exchange may clear and settle (but not execute) transactions on its exchange for an account with respect to which it or an associated person exercises investment discretion. However, by letter dated June 6, 1986, the Office of the Chief Counsel of the Securities and Exchange Commission informed Alliance that the sanctions which might otherwise be imposed under section 11(a) or Rule 11a2–2(T) will not be imposed with regard to the execution by Pershing of transactions directed to Pershing Correspondents by Alliance in its capacity as investment manager as long as the conditions provided in the letter are met. One of the conditions so provided is a 7 percent limitation on the amount of commission business directed by Alliance to Pershing Correspondents.

[3] PTE 79–1, published at 44 FR 5963 (January 30, 1979), allowed persons who serve as fiduciaries for employee benefit plans to effect securities transactions for those plans upon complying with a number of specific requirements, contained in the exemption, which were designed to protect the interests of plan participants and beneficiaries. This exemption was replaced by PTE 86–128 (51 FR 41686, November 18, 1986), more fully described below.

[4] PTE 82–40 (47 FR 9605, March 5, 1982) modified certain requirements of PTE 79–1 with respect to transactions effected by Pershing for correspondent brokers to which Alliance submitted trades on behalf of its managed accounts. In general, this exemption permits a revised reporting schedule on the basis of the number of securities transactions directed to Pershing Correspondents by Alliance during the applicable period provided that the following conditions are met:

(1) There is no arrangement or understanding between Alliance and the Pershing Correspondent that part or all of such clearing and settlement functions will be directed to Pershing;

(2) Neither Alliance nor any affiliate of Alliance is a trustee or administrator of the plan or an employer of any employee covered by the plan;

(3) The direction of brokerage to the Pershing Correspondent is made by Alliance pursuant to a written authorization executed by a fiduciary of the plan who is independent of Alliance;

(4) Such written authorization is terminable by the plan, without penalty to the plan, on not more than 60 days' notice, and shall continue in effect for more than one year only if such continuance is authorized in writing, at least annually, by a plan fiduciary who is independent of Alliance;

(5) No such authorization is made or renewed unless Alliance furnishes the authorizing plan fiduciary with any reasonably available information that Alliance reasonably believes to be necessary to determine whether such authorization should be made or renewed and any other reasonably available information regarding the matter that the authorizing fiduciary may reasonably request.

The Reports required under PTE 82–40 must be made:

(1) Not later than 45 days following the end of any consecutive three (3) month period during which 25% or more of the total dollar amount of brokerage incurred by the plan in connection with transactions initiated by Alliance is directed to Pershing Correspondents;

(2) Not later than 45 days following the end of any consecutive six (6) month period in which 30% or more of the total dollar amount of brokerage incurred by the plan in connection with transactions initiated by Alliance is directed to Pershing Correspondents;

(3) Within 45 days following the end of each calendar year, notwithstanding the foregoing.

(No report otherwise required to be furnished pursuant to PTE 79–1 as modified by PTE 82–40 is required to be furnished for any period during which Pershing receives no compensation in connection with transactions to which this exemption applies.)

[5] PTE 86–128 allows persons who serve as fiduciaries for employee benefit plans to effect or execute securities transactions under certain circumstances. The exemption also allows sponsors of pooled separate accounts and other pooled investment funds to use their affiliates to effect or execute securities transactions for such accounts when certain conditions are met. The exemption replaces Prohibited Transaction Exemption 79–1 and Prohibited Transaction Exemption 84–46, effective June 1, 1987.

This exemption provides relief similar to that provided by PTE 79–1 and PTE 84–46, from the restrictions of section 406(b) of the Act and from the taxes imposed by section 4975 (a) and (b) of the Code. The exemption conditions the effecting or executing of securities transactions on behalf of a plan by a plan fiduciary upon the fiduciary's complying with a number of specific requirements designed to protect the interests of plan participants and beneficiaries. The exemption is generally available to fiduciaries with respect to employee benefit plans, except when a person is a fiduciary with respect to a plan by reason of being a plan trustee (other than a non-discretionary trustee), plan

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which replaced PTE 79–1, would result in considerable expense and would be of little benefit to plan fiduciaries, according to Alliance's representations, because those periods in which little or no compensation is received by Pershing as a result of transactions effected by Alliance on behalf of plans greatly outnumber those periods in which Pershing receives any significant compensation as a result of such transactions.

Notice to Interested Persons

Notice will be given by Alliance to a fiduciary, independent of Alliance, with respect to each plan for which Alliance acts as a fiduciary as of the date of publication of this notice in the **Federal Register**. Such notice shall include a copy of the notice of pendency of the exemption as proposed in the **Federal Register** and shall inform the independent fiduciaries of their right to comment and to request a hearing within the time period set forth in the notice of proposed exemption.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which, among other things, require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) Before an exemption may be granted under section 408(a) of the Act and section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plans involved and of their participants and beneficiaries, and protective of the rights of the participants and beneficiaries of such plans; and

(3) The proposed exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Proposed Exemption

Based on the facts and representations set forth in the application, the Department is considering granting the exemption set forth below under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code in accordance with the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). If the exemption is granted, effective on or after the date of publication of the final exemption in the **Federal Register**, the restrictions of section 406(b) of the Act and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(E) and (F) shall not apply to the direction of securities transactions, initiated by Alliance Capital Management Corporation, an affiliate of Donaldson, Lufkin and Jenrette Securities Corporation (DLJ Securities), on behalf of an employee benefit plan in Alliance's capacity as a fiduciary for such plan, to a securities broker or dealer (Pershing Correspondent) who is not an affiliate of DLJ Securities and who has a correspondent relationship with the Pershing Division of DLJ Securities on an omnibus account basis, and where such securities transactions are executed, cleared and/or settled by Pershing, provided that the conditions set forth below are met:

(a) There is no arrangement or understanding between Alliance and the Pershing Correspondents that all or part of the execution, clearance and settlement functions relating to such transactions will be directed to Pershing.

(b) Neither Alliance nor any affiliate of Alliance is a trustee or administrator of any of the plans or an employer of any employees covered by any of the plans.

(c) Prior to transmitting plan transactions to a Pershing Correspondent and on an annual basis thereafter, Alliance will disclose to an independent fiduciary of each plan whose assets are involved in the transaction information necessary to enable the fiduciaries to judge the appropriateness of transactions effected on behalf of their plans through Pershing Correspondents and to determine whether such activities should be discontinued. These disclosures will include statements describing: (1) The existence of the correspondent relationships and the nature of the affiliation between Alliance and Pershing; (2) the possibility that transactions may be directed to Pershing Correspondents and that part of the commissions paid to the correspondents may be retained by Pershing as a correspondent fee; and (3) the use of brokerage commissions to pay for investment research services.

(d) Alliance will furnish a report to an independent fiduciary of each plan at least once per year. Such report will be furnished within 45 days following the end of the period to which it relates and will contain the following information: (1) The total of all transaction-related charges incurred by the plan during the period covered by the report in connection with transactions to which this proposed exemption applies; (2) the total of all transaction-related charges incurred by the plan during the period covered by the report in connection with all other brokerage transactions; (3) rates for all transaction-related charges

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administrator or sponsoring employer. The exemption is also available for pooled investment funds in which plans invest, with certain restrictions applicable to those funds in which plans covering employees of the manager invest.

The exemption requires, among other things, that a person engaging in a covered transaction must receive written authorization, executed in advance, from a fiduciary independent of such person. Thereafter, the authorized person must notify the plan at least annually that the authorization is terminable at will and without penalty by the plan. Such notice must include both a statement to the effect that failure to terminate the authorization will result in its continuation and a form on which to effect such a termination.

Persons effecting or executing securities transactions on behalf of plans pursuant to this exemption must disclose periodically certain information to the authorizing plan fiduciary. The exemption provides that a person engaging in covered transactions must furnish the authorizing fiduciary with either (1) confirmation slips containing the information described in Rule 10b–10 (17 CFR 240.10b–10) under the Securities Exchange Act of 1934 ("1934 Act"), 15 U.S.C. 78a *et seq.*, or (2) quarterly reports. The quarterly reports are compilations of the information that would have been provided by the confirmation slips and, specifically, must disclose the total of all charges incurred by the plan in connection with covered transactions during the reporting period, and the portion thereof that the authorized person has paid to others in connection with covered transactions. Annual reports are required of all persons engaging in covered transactions. The annual reports summarize the information required by the confirmation slips and, in addition, provide information regarding portfolio turnover and the use of brokerage commissions to pay for investment research services.

The exemption gives the authorizing fiduciary the right to request and receive any reasonably available information necessary to such fiduciary to determine whether the authorization should be made. In addition, the exemption places a corresponding duty on the authorized person to furnish the authorizing fiduciary with any additional information reasonably necessary and available to make this determination.

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incurred by the plan during the period covered by the report for transactions to which this proposed exemption applies; and (4) rates for all transaction-related charges incurred by the plan for all other brokerage transactions.

Signed at Washington, DC, this 22nd day of October, 1987.

Elliot I. Daniel,

Associate Director for Regulations and Interpretations, Pension and Welfare Benefits Administration, U.S. Department of Labor.

[FR Doc. 87-25803 Filed 11-5-87; 8:45 am]

BILLING CODE 4510-29-M

[Prohibited Transaction Exemption 87-97; Exemption Application No. D-6605 et al.]

Grant of Individual Exemptions; Classic Autos, Ltd. Pension Plan & Trust, et al.

AGENCY: Pension and Welfare Benefits Administration, Labor.

ACTION: Grant of individual exemptions.

SUMMARY: This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1954 (the Code).

Notices were published in the **Federal Register** of the pendency before the Department of proposals to grant such exemptions. The notices set forth a summary of facts and representations contained in each application for exemption and referred interested persons to the respective applications for a complete statement of the facts and representations. The applications have been available for public inspection at the Department in Washington, DC. The notices also invited interested persons to submit comments on the requested exemptions to the Department. In addition the notices stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicants have represented that they have complied with the requirements of the notification to interested persons. No public comments and no requests for a hearing, unless otherwise stated, were received by the Department.

The notices of pendency were issued and the exemptions are being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following findings:

(a) The exemptions are administratively feasible;

(b) They are in the interests of the plans and their participants and beneficiaries; and

(c) They are protective of the rights of the participants and beneficiaries of the plans.

Classic Autos, Ltd. Pension Plan and Trust (the Plan), Located in Milford, MI

[Prohibited Transaction Exemption 87-97; Exemption Application No. D-6605]

Exemption

The sanctions resulting from the application of section 4975(c)(1)(A) through (E) of the Code, shall not apply, effective May 18, 1982, to the past contribution to the Plan, on May 18, 1982, of the vendor's interests (the Interests) in two land contracts by Classic Autos, Ltd. (the Employer), provided that the Interests were valued at no more than their fair market value as of the date of the contribution.[1]

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on August 25, 1987 at 52 FR 32082.

For Further Information Contact: David Lurie of the Department, telephone (202) 523-8194. (This is not a toll-free number.)

Masonry Vacation Trust Fund (the Vacation Plan) and Masonry Industry Apprenticeship and Journeyman Training Fund (the Training Plan), Located in Portland, OR

[Prohibited Transaction Exemption 87-98; Exemption Application Nos. D-7016 and D-7023, respectively]

Exemption

The restrictions of section 406(b)(2) of the Act shall not apply to the proposed transfer by the Vacation Plan to the Training Plan of $10,000 from certain residual assets that are held by the Vacation Plan.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on August 25, 1987 at 52 FR 32083.

For Further Information Contact: Ms. Jan D. Broady of the Department, telephone (202) 523-8883. (This is not a toll-free number.)

Simkins Industries, Inc. Master Trust (the Trust) Located in New Haven, CT

[Prohibited Transaction Exemption 87-99; Exemption Application No. D-7072]

Exemption

The restrictions of section 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to (1) the proposed loans (the Loans) by the Trust, for a period of five years, to Simkins Industries, Inc. (the Employer); and (2) the proposed guarantee of the Loans by the Employer, provided the terms of the transactions are at least as favorable to the Trust as those obtainable in arm's length transactions with an unrelated party.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on July 17, 1987 at 52 FR 27087.

Written Comments

The Department received two written comments to the notice of proposed exemption (one of which was subsequently withdrawn) and no requests for a public hearing. The remaining commentator objected to the proposed exemption, but did not raise any specific or substantive issues regarding the subject transactions. Thus, after consideration of the entire record, the Department has determined to grant the proposed exemption.

For Further Information Contact: Ms. Jan D. Broady of the Department, telephone (202) 523-8883. (This is not a toll-free number.)

Victor J. Tofany, M.D., P.C. Employee Retirement Plan and Trust (the Plan), Located in Rochester, NY

[Prohibited Transaction Exemption 87-100; Exemption Application No. D-7174]

Exemption

The sanctions resulting from the application of section 4975 of the Code,

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[1] Since William Saunders is the sole shareholder of the Employer and is the sole Plan participant, there is no jurisdiction under Title I of the Act pursuant to 29 CFR 2510.3-3(b). However, there is jurisdiction under Title II of the Act pursuant to section 4975 of the Code.

by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to the propsed cash sale (the Sale) by the Plan of a certain parcel of unimproved real property to Victor J. Tofany, M.D., a disqualified person with respect to the Plan; provided that the terms and conditions of the Sale are not less favorable to the Plan than those obtainable in an arm's length transaction with an unrelated party.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on August 25, 1987 at 52 FR 32084.

For Further Information Contact: Mrs. Betsy Scott of the Department, telephone (202) 523-8883. (This is not a toll-free number.)

Minor Agency Retirement Plan (the Plan) Located in Charlotte, NC

[Prohibited Transaction Exemption 87-101; Exemption Application No. D-7212]

Exemption

The sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply, effective August 24, 1987, to the sale for cash by the Plan of a 44.8% interest (the Interest) in a limited real estate partnership of which all the other partners are disqualified persons with respect to the Plan to the sole shareholder of the Plan sponsor, provided that the price paid be the fair market value of the Interest on the date of sale or the price originally paid by the Plan for the Interest, whichever is greater.

Effective Date: August 24, 1987.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on September 23, 1987 at 52 FR 35775.

For Further Information Contact: Mr. Joseph Roberts III of the Department, telephone (202) 523-8194. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and/or the Code, including any prohibited transaction provsions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) These exemptions are supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or adminisrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

(3) The availability of these exemptions is subject to the express condition that the material facts and representations contained in each application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, DC, this 3rd day of November, 1987.

Elliot I. Daniel,

Associate Director for Regulations and Interpretations, Pension and Welfare Benefits Administration, U.S. Department of Labor.

[FR Doc. 87-25802 Filed 11-5-87; 8:45 am]

BILLING CODE 4510-29-M

[Application No. D-7066 et al.]

Proposed Exemptions; Garrison Company Employees Profit Sharing Plan, et al.

AGENCY: Pension and Welfare Benefits Administration, Labor.

ACTION: Notice of proposed exemptions.

SUMMARY: This document contains notices of pendency before the Department of Labor (the Department) of proposed exemptions from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1954 (the Code).

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemptions, unless otherwise stated in the Notice of Pendency, within 45 days from the date of publication of this **Federal Register** Notice. Comments and requests for a hearing should state the reasons for the writer's interest in the pending exemption.

ADDRESS: All written comments and requests for a hearing (at least three copies) should be sent to the Pension and Welfare Benefits Administration, Office of Regulations and Interpretations, Room N-5669, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. Attention: Application No. stated in each Notice of Pendency. The applications for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefit Programs, U.S. Department of Labor, Room N-4677, 200 Constitution Avenue NW., Washington, DC 20210.

Notice to Interested Persons

Notice of the proposed exemptions will be provided to all interested persons in the manner agreed upon by the applicant and the Department within 15 days of the date of publication in the **Federal Register**. Such notice shall include a copy of the notice of pendency of the exemption as published in the **Federal Register** and shall inform interested persons of their right to comment and to request a hearing (where appropriate).

SUPPLEMENTARY INFORMATION: The proposed exemptions were requested in applications filed pursuant to section 408 (a) of the Act and/or section 4975 (c) (2) of the Code, and in accordance with procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, these notices of pendency are issued solely by the Department.

The applications contain representations with regard to the proposed exemptions which are summarized below. Interested persons are referred to the applications on file with the Department for a complete statement of the facts and representations.

Garrison Company Employees Profit Sharing Plan (the Plan), Located in Farmington Hills, Michigan

[Application No. D-7066]

Proposed Exemption

The Department is considering granting an exemption under the

authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). If the exemption is granted, the restrictions of sections 406(a) and 406(b) (1) and (2) of the Act and the sanctions resulting from the application of sections 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the sale by the Plan of improved real property (the Property) to KRG Investments, a party in interest with respect to the Plan, and to the transfer of an outstanding lease and mortgage on the Property to KRG Investments, provided KRG Investments pays no less than fair market value for the Property at the time of sale.

Summary of Facts and Representations

1. The Garrison Company (Garrison) is a Michigan corporation engaged in the business of contructing industrial and commerical buildings on a contract basis. The Plan is a profit sharing plan having three participants and total assets of $1,502,250 as of April 30, 1987. The three Plan participants are also officers and shareholders of Garrison as well as trustees of the Plan.

2. The Plan acquired the Property in December 1974 from an unrelated party. The purchase price of the Property was $156,982, financed in part through a mortgage in the principal amount of $120,000 with an interest rate of 8½ percent per annum. The mortgage lender is unrelated on the Plan and the monthly payment of principal and interest on the mortgage is $1,041. As of April 1987, the unpaid balance remaining on the mortgage was approximately $63,000. The Property consists of a single story industrial building and an adjacent parking area located in Livonia, Michigan.

3. The Property was subject to a lease at the time of its acquisition by the Plan. The Property is leased to RCA Service Company (RCA Service), a division of RCA Corporation, as a shop for the service and repair of televisions, radios, air conditioners and other appliances. RCA Service is unrelated to the Plan and to Garrison. The termination date of the lease is July 31, 1988, with an option to extend for an additional five-year period ending July 31, 1993. The monthly rental payment is presently $1,390. The Plan as lessor is responsible for maintenance of the premises. RCA Service as lessee is responsible for any real estate taxes and assessments with respect to the Property. Rent for the option period beginning on July 31, 1988, is to be increased based on a cost of living factor by an amount not to exceed 20 percent of the base rent. The applicant obtained an appraisal on the Property from Gary R. Glotzhober (Glotzhober), a representative of the realty firm of Hanzl, Kepic & Van Lokeren, Inc, in Troy, Michigan. The applicant represents that Glotzhober is independent of both the Plan and Garrison. Glotzhober placed the fair market value of the Property as of September 17, 1987, at $195,000, taking into consideration the present and anticipated leases as well as comparable market values in the general area.

4. The ongoing lease payments on the Property have become below fair market rent and the trustees feel that this investment no longer promotes the purposes of the Plan. Accordingly, the trustees propose to sell the Property to KRG Investments, a Michigan partnership which consists of the three current Plan participants. KRG Investments will pay no less than fair market value for the Property at the time of sale. KRG Investments will pay cash for the Plan's equity in the Property, as determined at the time of sale, and will assume the outstanding lease and mortgage on the Property. The Plan will pay no commissions or fees in connection with the transaction. The proceeds of the sale will be reinvested in assets which should produce more appreciation and income for the Plan.

5. In summary, the applicant represents that the proposed transaction will satisfy the statutory criteria of section 408(a) of the Act because: (1) The sale of the Property will be entirely for cash and the Plan will pay no commissions or fees in connection with the sale; (2) KRG Investments will pay no less than fair market value for the Property based on an independent appraisal; (3) the transaction will relieve the Plan of having to make any further payments on the outstanding mortgage on the Property; and (4) the proceeds of the sale will be reinvested in assets which should produce more appreciation and income for the Plan.

For Further Information Contact: Paul Kelty of the Department, telephone (202) 523–8881. (This is not a toll-free number.)

Centre Radiology, P.A. Profit Sharing Plan (the P/S Plan) and the Centre Radiology, P.A. Money Purchase Pension Plan (the M/P Plan; collectively, the Plans), Located in Cumberland, Maryland

[Application No. D–7209]

Proposed Exemption

The Department is considering granting an exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). If the exemption is granted the restrictions of section 406(a), 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to (1) the proposed loan of $525,000 (the Loan) by the individually directed accounts of Drs. Emmett W. Cox, Daniel F. Jackson, and Robert F. Miller (the Accounts) in the Plans to Radeq, Inc. (Radeq), a party in interest with respect to the Plans; and (2) the personal guarantees of the Loan by the common stockholders of Radeq, some of whom are parties in interest with respect to the Plans, provided that the terms of the Loan are no less favorable to the Plans than those obtainable in an arm's-length transaction with an unrelated party.

Sumary of Facts and Representations

1. The P/S Plan is a profit sharing plan which, as of March 31, 1987, had ten participants and total assets of $2,879,600. The M/P Plan is a money purchase pension plan which, as of March 31, 1987, had ten participants and total assets of $419,186. The trustees of the Plans are Drs. Emmett W. Cox (Dr. Cox), Daniel F. Jackson (Dr. Jackson), Robert F. Miller (Dr. Miller), and John P. Light (collectively, the Trustees). The Plans are individual account plans which allow each participant to select the investments for his or her own account. The applicant states that the Accounts had total assets of $2,027,823 as of March 31, 1987. Dr. Cox had $598,657 in his Account in the P/S Plan and $96,998 in his Account in the M/P Plan, Dr. Jackson had $554,362 in his Account in the P/S Plan and $71,565 in his Account in the M/P Plan, and Dr. Miller had $801,964 in his Account in the P/S Plan and $111,076 in his Account in the M/P Plan.

2. Dr. Cox, Dr. Jackson and Dr. Miller each own 25% of the stock of Centre Radiology, P.A. (the Employer), the sponsor of the Plans. The Employer is engaged in the practice of radiology and maintains its principal place of business at Winifred and Williams Road, Cumberland, Maryland.

Drs. Cox, Jackson, and Miller (the Participants) wish to have their Accounts make the Loan to Radeq for the purpose of purchasing certain radiology equipment (the Equipment). The Equipment is a high performance, superconductive magnetic resonance imaging system with a magnetic field

strength of 0.5 Tesla. The Equipment was originally purchased by Fondun Imaging Center in Texas (the Center), an unrelated party, in early 1986. The Equipment was in operation for only a few months before the Center declared bankruptcy. The Equipment was shipped back to the manufacturer for complete rebuilding. The Equipment will be owned and operated by Radeq, a Maryland corporation owned entirely by the radiologists of two separate hospitals. The Participants each own, in their individual capacity, a 16.7% interest in Radeq.

3. The Loan will enable Radeq to provide long term financing for the Equipment. The Loan will be for a term of ten years with an interest rate of 2% over the prime rate for loans of this type in the local marketplace (i.e. prime at First National Bank of Maryland + 2%), adjusted annually. The Loan will provide for monthly payments of principal and interest from the Loan's inception. The Trustees will have a perfected security interest under the Uniform Commercial Code in the Equipment. No other lenders will have a security interest in the Equipment. In addition, the Loan will be jointly and severally guaranteed by the common stockholders of Radeq. The applicant states that the stockholders of Radeq have a combined net worth which greatly exceeds the amount of the Loan. Finally, the Equipment will be insured against casualty loss with the Trustees designated as the loss payee of such insurance.

By letter dated August 7, 1987, Mr. Jerry R. Womack, Senior Vice President of First National Bank of Maryland in Cumberland, Maryland (the Bank), states that the Bank would consider making a loan to Radeq, with the Equipment as collateral, under the same terms as will exist for the Loan.

4. The applicant represents that the estimated total assets in the Accounts at the time of the transaction, as a result of additional contributions, will be $2,503,000. Dr. Cox will have approximately $656,000 in his Account in the P/S Plan and approximately $125,000 in his Account in the M/P Plan, Dr. Jackson will have approximately $609,000 in his Account in the P/S Plan and approximately $97,000 in his Account in the M/P Plan, and Dr. Miller will have approximately $876,000 in his Account in the P/S Plan and approximately $130,000 in his Account in the M/P Plan. The proceeds for the Loan will be derived equally from each Participant's Account in both Plans. Thus, the Participants will each provide a total of $175,000 for the Loan from the assets of their Accounts. The applicant states that the amount contributed by each of the Accounts for the Loan will be less than 25% of the total assets for each Account at the time the transaction is entered into.

5. The Equipment was appraised on August 26, 1987 by Anthony A. Pinardi (Mr. Pinardi), Vice President of Adam Biomedical Research, Inc., as having a fair market value of $993,620. Mr. Pinardi represents that he is a qualified, independent appraiser, whose expertise is primarily in the used/remanufactured equipment industry. Mr. Pinardi states that the appraisal represents an estimated value of the price which the Equipment would bring on the current remanufactured market in the United States and is based on recent sales of units similar to the Equipment. Mr. Pinardi states further that the total cost of the Equipment, if purchased new, would be $1,369,000. Therefore, Mr. Pinardi estimates that the value for the Equipment on the current used market would be approximately 24% lower than the price of the Equipment if purchased new.

6. The Participants' represent that the proposed transaction is in the best interest of the Accounts because the Loan will provide the Accounts with a secure investment which will yield a high rate of return. The appraised value of the Equipment currently represents approximately 189% of the amount of the Loan. The applicant states that the Participants will ensure that the value of the Equipment will remain at least 175% of the outstanding principal on the Loan throughout the duration of the Loan. The applicant states further that additional property will be used to secure the Loan if such property becomes necessary to maintain the appropriate ratio between the value of the collateral and the amount due on the Loan.

7. In summary, the applicant represents that the proposed transaction will satisfy the statutory criteria of section 408(a) of the Act because: (a) The Loan will be secured by a prefected security interest in collateral which has an appraised market value which is 189% of the amount of the Loan; (b) the Accounts will receive a fair market rate of return on the Loan which is commensurate with the prevailing rate for similar loans offered in the area; (c) the Participants believe that the Loan, as an investment, is in the best interests of the Accounts; and (d) the amount contributed by each of the Accounts for the Loan will represent less than 25% of the total assets of each Account at the time of the transaction.

Notice to Interested Persons: Because the Participants are the only participants in the Plans to be affected by the proposed transaction, it has been determined that there is no need to distributed the notice of proposed exemption to interested persons. Comments and requests for a public hearing are due 30 days from the date of publication of this proposed exemption in the Federal Register.

For Further Information Contact: Mr. E. F. Williams of the Department, telephone (202) 523-8881. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and/or the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiarires;

(2) Before an exemption may be granted under section 408(a) of the Act and/or section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan; and

(3) The proposed exemptions, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

(4) The proposed exemptions, if granted, will be subject to the express condition that the material facts and representations contained in each application are true and complete, and that each application accurately

describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, DC, this 3rd day of November, 1987.

Elliot I. Daniel,

Associate Director for Regulations and Interpretations Pension and Welfare Benefits Administration, U.S. Department of Labor.

[FR Doc. 87-25804 Filed 11-5-87; 8:45 am]

BILLING CODE 4510-29-M

Employment Standards Administration

Office of Worker's Compensation Programs; Report on Computer Matching Project Involving Certain Beneficiaries Under Black Lung Benefits Act (BLBA)

Summary

The Department of Labor, Employment Standards Administration, Office of Workers' Compensation Programs (OWCP) announces a computer match to be performed by the West Virginia Department of Human Services (WVDHS) of Department of Labor (DOL) black lung beneficiary data and West Virginia Medicaid data. The match will be made under written agreement. The purpose of the data exchange is to identify those DOL black lung beneficiaries who live in West Virginia, in order that the WVDHS can determine which black lung beneficiaries have been recipients of West Virginia Medicaid benefits. It is the responsibility of the State Agency administering the Medicaid program to pursue all liable third party resources prior to the utilization of Medicaid funds for payment of medical services. With the information obtained from this data exchange the WVDHS will be able to identify potentially liable third party payors of medical expenses.

a. *Authority:* Title IV of the Federal Mine Safety and Health Act, 30 U.S.C. 901, et seq., and Title XIX of the Social Security Act, 42 U.S.C. 301, et seq.

b. *Description of Match:* The OWCP will send the WVDHS an extract from the DOL Black Lung Benefit Master File of all DOL black lung beneficiaries with a West Virginia address. The WVDHS will match the DOL black lung beneficiaries living in West Virginia with the WVDHS's records of recipients of West Virginia Medicaid benefits. When a match occurs, the black lung extract data on that individual will be reviewed by the WVDHS to determine whether there is potential third party liability. The WVDHS will be able to seek reimbursement, if it is found that a third party should have paid for medical expenses that were paid by Medicaid in West Virginia. Potential third party payors of these expenses include the Black Lung Disability Trust Fund and Responsible Coal Mine Operators/ Insurance Carriers.

c. *Description of Federal Records To Be Matched:* DOL/ESA-7 Office of Workers' Compensation Programs, Black Lung Benefit Payments File (47 FR 30378, July 13, 1982; as amended in 48 FR 5824, February 8, 1983; and 50 FR 5144, February 6, 1985) will be the source of the Federal black lung data extract. Among the items contained in the DOL source data extract will be: Miner Social Security number and birth date, payee name and address, payee monthly benefit amount, date and amount of last check.

d. *Period of Match:* The first match should begin on or about December 1, 1987, and recur annually. Follow-up procedures may extend through the calendar year.

e. *Security:* The personal privacy of individuals identified is protected by strict compliance with the Privacy Act (Pub. L. 93-579) and OMB Circular A-130. Information from the match will be used only for official purposes and will not be released to the public.

The extract files will be used and accessed only for the purposes previously agreed upon. Extract files will not be used to obtain information for any purpose concerning individuals who are not included in the match. Extract files will not be duplicated or disseminated within or outside the matching or source agency, unless agreed upon in writing by both agencies. The WVDHS will use the data supplied in a manner prescribed by law and will maintain proper safeguards to prevent unauthorized release or use of all data contained in the source extract and the extract of matches.

Access to working spaces and claim file storage areas in the WVDHS offices is restricted to West Virginia State employees. File areas are locked after normal duty hours and the offices are protected from outside access by security personnel. Strict control measures are enforced to ensure that access to and disclosure of extract files is limited to a need-to-know basis.

f. *Disposition of Records:* The OWCP source data extract will remain the property of the OWCP and will be destroyed by the WVDHS upon receipt of the following year's source data extract from the OWCP. The extract of matches will become the joint property of the WVDHS and the OWCP, and will be kept by the WVDHS so long as the administrative audit is active. The extract of matches will be destroyed by the WVDHS upon receipt of the following year's source data extract from the OWCP.

Signed at Washington, DC, this 30th day of October 1987.

Lawrence W. Rogers,

Director, Office of Workers' Compensation Programs.

[FR Doc. 87-25795 Filed 11-5-87; 8:45 am]

BILLING CODE 4510-27-M

Office of Worker's Compensation Programs; Report on Computer Matching Project Involving Certain Beneficiaries Under Federal Employe's Compensation Act

Summary

The Department of Labor, Employment Standards Administration, Office of Workers' Compensation Programs (OWCP), announces a computer match, to be performed by the State of New Jersey, of the names and Social Security Numbers (SSN's) of certain beneficiaries who are in receipt of compensation benefits for total disability under the Federal Employees' Compensation Act (FECA), and the wage report records maintained by the New Jersey Department of Labor, The match will be conducted on behalf of the Office of Workers' Compensation Program by the U.S. Department of Labor's Office of Inspector General. The purpose of the match is to determine whether any of these beneficiaries have earned wages in the State of New Jersey without having reported them to OWCP as required under the FECA.

a. *Authority:* The Federal Employees' Compensation Act (FECA) 5 U.S.C. 8101, et seq.

b. *Description of the Match:* Among its responsibilities in the administration of the FECA, the OWCP must ensure that benefit payments are proper and that fraud and abuse are prevented. Computer matching is an efficient and unobtrusive method of determining whether beneficiaries are appropriately receiving total disability benefits under the FECA.

The matching effort will compare the automated data records of FECA beneficiaries who are receiving compensation benefits for total disability and who have addresses in New York, New Jersey, Pennsylvania, Delaware, Puerto Rico, Maryland or Florida, with the wage report records maintained by the New Jersey Department of Labor, in order to determine whether any of those beneficiaries had earnings which were not reported to OWCP while they were

receiving total disability compensation payments.

The Office of Workers' Compensation Programs, through DOL's Office of Inspector General (OIG), will provide a computer tape containing the selected beneficiaries; name, address, SSN, date of birth, OWCP claim number and owning district office code to the New Jersey Department of Labor. The State of New Jersey will match its state wage report file against this tape. For the resultant matches, the State of New Jersey will provide DOL's OIG an output tape which contains the wage and employer date contained in its Matched Employee File. The OIG, in conjunction with the OWCP, will validate and edit the State data against the case files in the OWCP system of records. After editing and validation, OWCP/OIG will determine which cases shall be further processed or investigated to ascertain whether the individual actually had earnings which should have been reported to OWCP. Action will be taken to ensure that benefits are not being paid in those cases in which there is no entitlement. Certain findings may be submitted to the Department of Justice, through the U.S. Department of Labor's Office of Inspector General, for prosecution. The State of New Jersey will not use the material from the match for any purpose. The sole beneficiary of the match will be the Office of Workers' Compensation Programs.

c. *Description of the Federal Records to be Matched:* The OWCP system of records to be matched has been published as DOL/ESA–13, 47 FR 134, pages 30382–30383, July 13, 1982, as amended in 48 FR 27, page 5826, February 8, 1983, and as amended in 50 FR 25, pages 5144–5145, February 6, 1985. The disclosure of information from this system of records for this matching program is authorized by routine use "b".

d. *Period of the Match:* The anticipated starting date of the match is on or about November 9, 1987. Follow-up processing will take approximately six months.

e. *Security:* The personal privacy of individuals identified on the tapes will be protected by strict compliance with the privacy Act (Pub. L. 93–579) and OMB Circular A–108. Information from the match will be used only for official purposes, and will not be released to the public. To ensure compliance with Pub. L. 93–579, the Office of Inspector General will maintain physical costody of the source data, except during the period the match is actually being run, and of the State of New Jersey's matching product. All automated source and match data will be passwords protected while resident on the State of New Jersey's computer; all tape and paper listings of the source and match information will be stored in a locked file, cabinet or room when not in use. No source materials or information contained therein or any matching information will be duplicated or disseminated within or without the New Jersey Department of Labor, and personnel of that agency will have access to the material or password only for the purpose of directly furthering the matching program. The source information supplied by OWCP and any information resulting from the match will be returned by the State of New Jersey directly to the Office of Inspector General. It is understood that the source material remains the property of the Office of Workers' Compensation Programs.

f. *Disposition of the Records:* As indicated above, all records sent to the State of New Jersey, as well as records of matches, will be returned to the Office of Workers' Compensation Programs, through the U.S. Department of Labor's Office of Inspector General, which is conducting the match on behalf of the OWCP. The information provided as a result of the match will be edited and validated, using the information contained in DOL/ESA–13. Where there is a question of the entitlement of a matched beneficiary to receive compensation at all, or at a particular level, the case will be set for investigation. No payment will be discontinued solely because a beneficiary's name appears as a match. The original source material will be destroyed or expunged following the match. Records of matches which are further processed or investigated will be made part of the case file of the beneficiary along with the results of the investigation.

g. *For Further Information Contact:* Thomas M. Markey, Associate Director for Federal Employees' Compensation, Office of Workers' Compensation Programs, Employment Standards Administration, U.S. Department of Labor, Room S–3229, Frances Perkins Building, 200 Constitution Avenue, NW., Washington, DC 20210; Telephone (202) 523–7552.

h. *Other Comments:* This match is being performed solely for the purposes of the Office of Workers' Compensation Programs by the State of New Jersey, without any use of the information by them. The actual amount of compensation being received by the OWCP beneficiaries will not be included in the source material furnished to the State.

Signed at Washington, DC, this 28 day of October 1987.

Richard Staufenberger,

Deputy Director, Office of Workers' Compensation Program.

[FR Doc. 87–25796 Filed 11–5–87; 8:45 am]

BILLING CODE 4510–27–M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration, Office of Records Administration.

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Records schedules identify records of sufficient value to warrant preservation in the National Archives of the United States. Schedules also authorize agencies after a specified period to dispose of records lacking administrative, legal, research, or other value. Notice is published for records schedules that (1) propose the destruction of records not previously authorized for disposal, or (2) reduce the retention period for records already authorized for disposal. NARA invites public comments on such schedules, as required by 44 U.S.C. 3303a(a).

DATE: Requests for copies must be received in writing on or before December 21, 1987. Once the appraisal of the records is completed, NARA will send a copy of the schedule. The requester will be given 30 days to submit comments.

ADDRESS: Address requests for single copies of schedules identified in this notice to the Records Appraisal and Disposition Division (NIR), National Archives and Records Administration, Washington, DC 20408. Requesters must cite the control number assigned to each schedule when requesting a copy. The control number appears in parentheses immediately after the name of the requesting agency.

SUPPLEMENTARY INFORMATION: Each year U.S. Government agencies create billions of records on paper, film, magnetic tape, and other media. In order to control this accumulation, agency records managers prepare records schedules specifying when the agency no longer needs the records and what

happens to the records after this period. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. These comprehensive schedules provide for the eventual transfer to the National Archives of historically valuable records and authorize the disposal of all other records. Most schedules, however, cover records of only one office or program or a few series of records, and many are updates of previously approved schedules. Such schedules also may include records that are designated for permanent retention.

Destruction of records requires the approval of the Archivist of the United States. This approval is granted after a thorough study of the records that takes into account their administrative use by the agency of origin, the rights and interests of the Government and of private persons directly affected by the Government's activities, and historical or other value.

This public notice identifies the Federal agencies and their subdivisions requesting disposition authority, includes the control number assigned to each schedule, and briefly describes the records proposed for disposal. The records schedule contains additional information about the records and their disposition. Further information about the disposition process will be furnished to each requester.

Schedules Pending

1. Department of the Air Force (N1–AFU–86–63). Records concerning the Internal Controls Program (annual departmentwide reports are permanent).

2. Department of the Air Force (N1–AFU–87–18). Records relating to environment planning and management.

3. Department of the Air Force (N1–AFU–87–41). Facilitative records pertaining to radio frequency management.

4. Department of the Air Force (N1–AFU–87–40). Records relating to ADP systems software.

5. Department of the Air Force (N1–AFU–87–36). Records relating to polygraph examinations.

6. Department of the Army, Information Systems Command, Office Systems Management Branch (N1–AU–87–20). Records relating to the implementation of approved Information Management Plans.

7. Department of the Army (N1–338–87–5). Facilitative and routine records of Army Sub-Areas (overall policy documentation is permanent).

8. Army and Air Force Exchange Service (N1–334–87–2). Records relating to administrative support of legal, financial, contract, and internal management activities.

9. Department of Agriculture, Forest Service, Cooperative Fire Protection (N1–95–86–4). Routine administrative files created in the course of disbursing of aid to state forest fire protection programs.

10. Department of Agriculture, Forest Service, Cooperative Forestry Staff (N1–95–87–8). General correspondence for cost-sharing conservation programs.

11. Department of Agriculture, Forest Service, Range Management Staff (N1–95–87–12). General correspondence on establishing a uniform framework for classifying ecosystems.

12. Department of Agriculture, Forest Service, Office of Forest Fire and Atmospheric Science Research Staff (N1–95–87–14). General correspondence on administration of research.

13. Department of Commerce, Office of the Secretary (N1–40–87–8). Records of J. C. Dockeray, consultant and advisor on fiscal policy, 1948–61.

14. Department of Health and Human Services, Office of Human Development Services (N1–439–88–1). Construction Grant Case Files relating to the State-administered Vocational Rehabilitation and Developmental Disabilities Program.

15. Department of the Interior, United States Geological Survey (N1–57–87–2). Records relating to regulatory activities, labor management relations, and appointment of contracting officers.

16. Department of Justice, Community Relations Service (N1–379–87–2). Electronic and hardcopy records relating to a management information system for regional case files.

17. Department of Justice, Federal Bureau of Investigation (N1–65–87–17). Negative name check requests.

18. National Archives and Records Administration (N2–77–87–1). Accessioned records of the U.S. Army Cold Regions Research and Engineering Laboratory, consisting of unusable motion picture films, 1947–63.

19. National Archives and Records Administration, Office of Records Administration (N1–GRS–88–2). Addition to General Records Schedule 1, Civilian Personnel Records, for records relating to claims for health benefits from former spouses.

20. National Archives and Records Administration, Office of Records Administration (N1–GRS–88–1). New item for records relating to waivers of claims to be added to General Records Schedule 6, Accountable Officers' Accounts Records.

21. National Archives and Records Administration, Special Archives Division (N2–151–88–1). Accessioned films of the International Trade Administration consisting of duplicate subjects, incomplete subjects, outs, trims, workprints, and cuts.

22. Occupational Health and Safety Review Commission (N1–455–87–1). Various administrative records, including publications, photographs, Commissioners' meeting records, subject correspondence files, and case tracking records.

23. Tennessee Valley Authority, Office of the General Counsel (NC1–142–85–13). Records from the central files relating to administrative or routine legal matters (records appraised as archival will be scheduled for transfer to the National Archives).

Dated: October 30, 1987.

Frank G. Burke,

Acting Archivist of the United States.

[FR Doc. 87–25801 Filed 11–5–87; 8:45 am]

BILLING CODE 7515–01–M

NUCLEAR REGULATORY COMMISSION

[Docket No. 30–20132, License No. 35–21272–01 EA 87–204]

Tracer Profiles, Inc., Order Suspending License (Effective Immediately) and Order to Show Cause

I

Tracer Profiles, Inc. (the licensee) 100 N. Rockwell, Building 84, Oklahoma City, Oklahoma 73128, is the holder of Byproduct Material License No. 35–21272–01 issued by the Nuclear Regulatory Commission (the Commission/NRC) pursuant to 10 CFR Part 30. The license authorizes the use of byproduct material for the conduct of oil and gas well tracer studies and is due to expire on February 28, 1988. The license specifies that licensed material shall be used by or under the supervision and in the physical presence of James M. Gibson (President), Jack T. Carter, Jr. (Vice President), Barney P. O'Toole, Alexander A. Palmer, Milton Rose, or Kevin J. Palmer.

II

On March 5–6, 1987, an NRC inspection was conducted at Tracer Profiles, Inc., Oklahoma City, Oklahoma. During the inspection violations of NRC requirements were identified. On March 26, 1987, an enforcement conference was conducted with Mr. Jack T. Carter, Jr. to discuss the violations. Mr. Carter was the sole licensee representative at the enforcement conference. Mr. Carter explained that he and Mr. Gibson were

currently the only employees of Tracer Profiles, Inc. Prior to and following the enforcement conference, the licensee agreed to specific corrective actions as enumerated in Confirmatory Action Letters (CALs) dated March 13 and April 22, 1987.

The specific corrective actions that the licensee agreed to consisted of the following:

1. Obtaining the services of a consultant who is trained and experienced in the radiation protection aspects of tracer use in oil/gas wells. Submit the name and qualifications of the consultant to the Region IV office and the date of first visit to the Tracer Profiles, Inc. facility within one month of receipt of the April 22, 1987 letter.

2. Engaging this consultant to audit operations, review procedures and license requirements, develop management controls to ensure compliance with license requirements, and prepare a report of findings, which would be forwarded to NRC Region IV within 20 days of the completion of the audit.

3. Engaging this consultant to perform a follow up audit within 6 months of the first audit and report findings, which would be forwarded to NRC Region IV within 20 days of the completion of the audit.

4. Obtaining calibrated radiation survey instrumentation before undertaking any operations involving radioactive materials.

5. Submitting to Region IV, for approval, supplemental information regarding procedures for storage of radioactive materials at the facility.

6. Upon receipt of each new shipment of radioactive material, surveying the radioactive materials storage area to verify that levels of radiation in unrestricted areas, as specified in 10 CFR 20.105, were not exceeded. Results of this survey are to be recorded.

7. Submitting the results of wipe samples taken after vacating the former address of 8236 SW., 5th Street, Oklahoma City, Oklahoma.

8. Surveying and decontaminating equipment as required by operating procedures.

9. Obtaining records of missing personnel monitoring reports not available at the time of inspection and maintaining them for NRC inspection.

Subsequently, a Notice of Violation (NOV) was issued on June 8, 1987. In the NOV, the violations were categorized in the aggregate as a Severity Level III problem. A civil penalty, which is generally proposed for a Severity Level III problem, was not proposed because of the licensee's good enforcement history and the licensee's agreement to implement the above-described extensive corrective actions.

The NOV specified that the licensee was to reply to the NRC within 30 days of the date of the letter transmitting the NOV.

The licensee failed to respond to the CALs and NOV. Following numerous unsuccessful attempts to contact the licensee by telephoned, the NRC Region IV wrote to the licensee on July 16, 1987. On July 20, 1987, Mr. Gibson telephone the NRC Region IV office and advised that he was unaware of Mr. Carter's whereabouts and his commitments to the NRC and the subsequent NOV. Mr. Gibson did, however, agree to take actions to resolve the matter. In a subsequent telephone conversation on July 23, 1987, Mr. Gibson committed to the following actions:

1. To personally take control of the licensed program and to safeguard any radioactive material in the possession of Tracer Profiles, Inc. This was to include the securing of licensed material in locked storage until such time as NRC approves resumption of operations with sources.

2. To personally supervise any work conducted under the license.

3. To respond to the NOV within 20 days of receipt of the letter transmitting the commitments.

4. Within 20 days of receipt of the letter transmitting the commitments, to initiate the actions described in the CAL of April 22, 1987 concerning the use of a consultant to audit the program within the time frames specified.

5. To amend the license to name Mr. Gibson, rather than Mr. Carter, as the Radiation Safety Officer.

These actions were formalized in a CAL dated July 31, 1987.

To date, Mr. Gibson has failed to respond to the July 31, 1987 CAL. Moreover, the licensee has vacated its offices and apparently moved to a new and unknown location, which is unauthorized if radioactive material is possessed.

III

The licensee's failure to fulfill commitments made to the NRC demonstrates an untrustworthiness and unwillingness to comply with the NRC regulatory requirements which cannot be tolerated. Therefore, I lack the requisite reasonable assurance that the licensee will comply with Commission requirements in the future. I have determined that the public health, safety, and interest require that License No. 35–21272–01 be suspended, effective immediately, as described below.

IV

Accordingly, pursuant to sections 81, 161(b), 161(i) and 182, of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 30, *It Is Hereby Ordered, Effective Immediately, That:*

A. License No. 35–21272–01 is suspended pending further Order and the licensee shall cease and desist from any use of byproduct material in its possession.

B. The licensee shall place all byproduct material in its possession in locked storage and notify the NRC Region IV office of compliance in writing within 20 days of the date of this Order.

C. The licensee shall show cause why License No. 35–21272–01 should not be revoked.

The Regional Administrator, Region IV may relax or rescind any of the above provisions for good cause shown by the licensee.

V

Pursuant to 10 CFR 2.202(b), the licensee may show cause why this Order should not have been issued by filing a written answer under oath or affirmation within 20 days of the date of issuance of this Order, setting forth the matters of fact and law on which the licensee relies. The licensee may answer this Order, as provided in 10 CFR 2.202(d), by consenting to the provisions specified in Section IV above. Upon failure of the licensee to file an answer within the specified time, the Deputy Executive Director for Regional Operations may issue without further notice an Order revoking License No. 35–21272–01 and requiring transfer of all materials possessed under License No. 3521272–01 to an individual authorized to possess such material.

The licensee or any other person who has an interest adversely affected by this Order may request a hearing on this Order within 20 days of the date of its issuance. Any answer to this Order or request for hearing shall be submitted to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Copies also shall be sent to the Assistant General Counsel for Enforcement, Office of General Counsel at the same address and to the Regional Administrator, NRC Region IV, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011. If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which the petitioner's interest is adversely affected by this Order and should address the

criteria set forth in 10 CFR 2.714(d). An answer to this Order or a request for hearing shall not stay the immediate effectiveness of this Order.

If a hearing is requested, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such a hearing shall be whether this Order should be sustained.

Dated at Bethesda, Maryland, this 30th day of October 1987.

For The Nuclear Regulatory Commission.

James M. Taylor,

Deputy Executive Director for Regional Operations.

[FR Doc. 87-25793 Filed 11-5-87; 8:45 am]

BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-25081; File Nos. SR-Amex-87-29; SR-CBOE-87-51; SR-PSE-87-27; and SR-PHLX-87-39]

Self-Regulatory Organizations; American Stock Exchange, Inc.; Chicago Board Options Exchange, Inc.; Pacific Stock Exchange, Inc.; and Philadelphia Stock Exchange, Inc.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")[1] and Rule 19b-4 thereunder,[2] the American ("Amex"), Pacific ("PSE"), and Philadelphia ("Phlx") Stock Exchange, and the Chicago Board Options Exchange, Inc. ("CBOE") ("Exchanges") have filed with the Securities and Exchange Commission ("Commission") proposed rule changes to amend their rules to raise the customer margin requirement applicable to broad-based market index options.

On September 26, 1985,[3] the Commission approved proposed rule changes filed by the Amex, CBOE, PSE, Phlx, the New York Stock Exchange, Inc. ("NYSE"), and the National Association of Securities Dealers, Inc. ("NASD") (collectively, the self-regulatory organizations ["SROs"] to establish a uniform premium-based customer margin system for short options positions.[4] Under this uniform marin system, the SROs' rules[5] calculate margin requirements by use of a formula applicable to all options products. The formula calls for the deposit and maintenance of margin equal to 100% of the current option premium value plus a fixed percentage of the underlying product value with an adjustment for out-of-the-money options, with a minimum of 100% of the current option premium value plus a fixed lesser percentage of the current value of the underlying product. The percentage requirement varies with the options product. The percentages were developed by relating option margin to the annualized price volatility of the underlying security to provide for initial margin that would cover the underlying product's historical volatility over a seven-day period with a 95% confidence level. The SROs' current margin requirements for each short put or call on a broad-based market index is 100% of the current premium plus 5% of the current index value times the index multiplier, less any out-of-the-money amount, with a minimum of 100% of the current premium plus 2% of the current index value times the index multiplier.

In view of the recent increased volatility in the stock markets, and because current margin requirements are based upon historical levels of volatility that are no longer valid under current market conditions, the Exchanges have proposed to raise the margin requirement applicable to broad-based market index options. The new margin requirements are intended to provide investors and member firms with sufficient financial protection commensurate with increased market volatility. Under the proposal, the margin requirement for broad-based market index options will be increased to 100% of the current premium plus 10% of the current index value, less any out-of-the-money amount, with a minimum of 100% of the current premium plus 5% of the current index value. For positions established prior to the implementation of the new margin requirement, member organizations may, at their discretion, apply the former maintenance requirement.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and in particular, the requirements of section 6(b)(5),[6] which provides, in pertinent part, that the rules of the Exchanges must be designed to protect investors and the public interest. The increased margin requirements for broad-based market indexes will provide more financial protection to the securities industry at a time of increased market volatility. The current low margin levels are based on historical volatility levels which are no longer valid in light of the events of the past two weeks. Hence, at a minimum, higher margin levels are needed to ensure the financial stability of member firms. At this time the SROs have determined to raise the initial margin level for broad-based index options to 10%. While the Commission believes this action is necessary as an interim step in assuring the adequacy of margin levels in light of the market events of the past two weeks, the Commission reserves judgement on whether the premium plus 10% level is sufficient as a permanent standard. At a minimum, the SROs will have to recalculate their volatility equations. Perhaps more importantly, the Commission currently is undertaking a study of the market events of the week of October 19, 1987. One aspect of the study will concern the effect of margin levels on derivative index products on the recent market volatility. Until the study is finished, the Commission reserves judgement both on the level of margin set by the proposed rule changes as well as the method of determining adequate margin.

The Commission finds good cause for approving the proposed rule changes prior to the thirtieth day after the date of publication of the proposal in the **Federal Register**. In light of the increased stock market volatility and its effect on margin adequacy, the four Exchanges want to require member organizations to implement the new margin requirements no later than the opening of businesss on Monday, November 2, 1987 for positions established on or after that date. In addition, the four exchanges have proposed substantially identical rule changes in order to coordinate the increased margin requirements on broad-based stock index contracts.[7]

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to

[1] 15 U.S.C. 78s(b)(1)(1982).

[2] 17 CFR 240.19b-4 (1986).

[3] Securities Exchange Act Release No. 22469 (September 26, 1985), 50 FR 40633.

[4] A short position is the number of outstanding option contracts of a given series of options with respect to which a person is obligated as a writer (seller).

[5] Amex Rule 462, CBOE Rule 24.11; NASD Rules, Article III, Sec. 30, Appendix A, Sec. 4; NYSE Rule 431; PSE Rule XX1, Sec. 16, Phlx Rule 722.

[6] 15 U.S.C. 78f(b)(5)(1982).

[7] The NYSE will implement an identical margin increase on an emergency basis pursuant to NYSE Rule 431. The Commission expects the NYSE to submit a filing to effectuate the change for more than an emergency period.

the proposed rule changes that are filed with the Commission, and all written communications relating to the proposed rule changes between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filings will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organizations. All submissions should refer to the file numbers in the caption above and should be submitted by November 21, 1987.

It is therefore ordered, pursuant to section 19(b)(2) of the Act,[8] that the proposed rule changes are approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[9]

Jonathan G. Katz,

Secretary.

Dated: November 21, 1987.

[FR Doc. 87-25790 Filed 11-5-87; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-25078; File No. SR-PSE-87-25]

Self-Regulatory Organizations; Proposed Rule Change by Pacific Stock Exchange, Inc.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1)("Act"), notice is hereby given that on September 30, 1987, the Pacific Stock Exchange, Inc. ("PSE") or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Pursuant to the Schedule of Rates and Charges published by the Pacific Stock Exchange Incorporated ("PSE" or "Exchange") the Exchange will waive the transaction charges for all orders sent to the floor, and all Order Book charges, for trades executed in two dually-listed options: Microsoft Corporation and Mentor Corporation. These charges will be waived from September 21, 1987 through December 30, 1987.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B) and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

The waiver of Order Book and transaction charges in these classes of options traded on over-the-counter ("OTC") stocks is a competitive response to Securities and Exchange Commission Release No. 34-22026, which permits the multiple trading of OTC options. Although the Exchange believes that its market Makers will provide excellent markets in these options, the Exchange is of the opinion that a waiver of certain fees is necessary to remain on a competitive footing with other option exchanges. This waiver of Order Book and transaction fees will encourage decisions regarding where to trade given options to be made on the basis of the strength of the marketplace.

The proposed rule change is consistent with section 6(b)(5) of the Securities Exchange Act of 1934, in that it will increase competition and the quality of markets.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that a waiver of certain transaction and Book fees will increase competition between marketplaces.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

Written comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 5th Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned, self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by, November 27, 1987.

It Is Therefore Ordered, pursuant to section 19(b)(3) of the Act that the proposed rule change referenced above be, and hereby is approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

Dated: October 30, 1987.

[FR Doc. 87-25728 Filed 11-5-87; 8:45 am]

BILLING CODE 8010-01-M

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[8] 15 U.S.C. 78s(b)(2) (1982)

[9] 17 CFR 200.30-3(a)(12) (1986).

[Rel. No. IC-16104; 812-6889]

Societe Centrale de l'Union des Assurances de Paris; Application

November 2, 1987.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for exemption under the Investment Company Act of 1940 ("1940 Act").

Applicant: Societe Centrale de l'Union des Assurances de Paris.

Relevant 1940 Act Section: Exemption requested under section 6(c) from all provisions of the 1940 Act.

Summary of Application: The Applicant seeks an order exempting it from all provisions of the 1940 Act so that it may issue and sell in the United States equity securities, either directly or in the form of American Depository Shares, evidenced by American Depository Receipts. In addition, the Applicant seeks such an exemptive order so that it also may issue and sell in the United States debt securities, either publicly or privately, and commercial paper.

Filing Date: The application was filed on October 6, 1987, and an amendment was filed on November 2, 1987.

Hearing or Notification of Hearing: If no hearing is ordered, the application will be granted. Any interested person may request a hearing on the application, or ask to be notified if a hearing is ordered. Any requests must be received by the SEC by 5:30 p.m., on November 23, 1987. Request a hearing in writing, giving the nature of your interest, the reason for the request, and the issues you contest. Serve the Applicant with the request, either personally or by mail, and also send it to the Secretary of the SEC, along with proof of service by affidavit or, for lawyers, by certificate. Request notification of the date of a hearing by writing to the Secretary of the SEC.

ADDRESSES: Secretary, SEC, 450 5th Street NW., Washington, DC 20549. Applicant: c/o Edward Bransilver, Esq., at Shearman & Sterling, Fourth Floor, 1001 30th Street NW., Washington, DC 20007, (202) 337-8200.

FOR FURTHER INFORMATION CONTACT: H.R. Hallock, Special Counsel (202) 272-3030 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application: The complete application is available for a fee from either the SEC's Public Reference Branch in person or the SEC's commercial copier who can be contacted at (800) 231-3282 (in Maryland (301) 258-4300).

Applicant's Representations

1. The Applicant is a holding company of the UAP Group (the "UAP Group"), the largest insurance group in France and the seventh largest insurance group in Europe. The main business of the Applicant's principal underwriting companies, UAP Vie ("UAP Life") and UAP Incendie Accidents ("UAP Fire and General") and their operating subsidiaries, is insurance. In addition, the Applicant engages in the business of real estate as well as in banking and related financial services. For the year ending December 31, 1986, the UAP Group had consolidated gross premium income of nearly $6 billion and consolidated earnings of $343 million. Total assets of the UAP Group amounted to over $18 billion in 1986.[1] Applicant's own assets amounted to over $1,041 million of which $382 million or 36.6% consisted of investments in equity securities and $36 million or 3.5% consisted of loans. The remaining 59.9% of Applicant's assets were attributed to investments in the operating subsidiaries (43.5%), cash (13.9%) and investments in real estate 2.5%).

2. In addition to UAP Life and UAP Fire and General, the UAP Group includes Banque Worms, a wholly-owned commercial bank, and other financial companies as well as foreign affiliates and reinsurance companies within and outside of France.

3. The French government, which presently owns 85.3% of the shares of the Applicant, is planning to sell its shares pursuant to its privatization program. The privatization of the Applicant is tentatively scheduled for November 25, 1987.

4. The Applicant is subject to extensive government regulation as an insurance company in France. Rules and regulations governing the operation of French insurance companies range from licensing requirements and rate controls to regular reporting and minimum reserve requirements.

5. The Applicant has an insurance presence in the United States through Rockleigh, a Delaware holding company whose three subsidiaries are engaged in the reinsurance business in the State of New York. The subsidiaries are directly regulated by insurance authorities in that state with the primary focus being to assure the solvency of the insurers. In addition, Applicant is subject to New York State regulation as part of an insurance holding system.

6. In order to have continued access to United States sources of funds, Applicant seeks, in addition to the private placement of its shares by the French government in the context of Applicant's privatization, the ability to sell in the United States its equity securities either publicly or privately, and either directly or in the form of American depositary shares evidenced by American depositary receipts, and its debt securities, either publicly or by private placement, and commercial paper. The term equity securities as used in connection with the future offerings described herein and more fully set forth in the application shall include any class or type of equity security which Applicant may at the time be authorized to issue under French law or which Applicant may make available to its shareholders through a rights offering. All of the undertakings set forth herein and in the application with respect to future offerings or equity securities shall apply to any such offerings.

7. Should the Applicant make a public offering of its debt or equity securities in the United States, such offering would be registered under the Securities Act of 1933 (the "1933 Act"). In addition, the Applicant would become subject to and would comply with the reporting requirements applicable to foreign issuers under the Securities Exchange Act of 1934. Although the Applicant would offer its debt or equity securities to the general public, it has been advised by its investment bankers that the market for such securities would be largely institutional. In connection with the offering, the Applicant would comply with the prospectus disclosure and delivery requirements of the 1933 Act. The Applicant would ensure that any offering, including the private placement to be made in connection with the French privatization program, of its debt or equity securities or commercial paper in the United States under circumstances not requiring registration under the 1933 Act would meet the prevailing standards for an exemption from registration under the 1933 Act.

8. Any commercial paper sold by Applicant in the United States in reliance upon the order sought by the application would be prime quality commercial paper notes (the "notes") in bearer form and in denominations of at least $100,000. Such notes would rank *pari passu* among themselves, senior to

[1] Amounts stated in U.S. dollars ($) have been converted from French Francs (FF) at the rate of exchange of $1 = 6.455 FF, the median of the buy and sell rates for the U.S. dollar on the Paris Stock Exchange on December 31, 1986. On September 15, 1987 this median rate was 6.06 FF.

Applicant's ordinary shares and equally with other unsubordinated unsecured obligations of Applicant. The notes would be issued and sold through one or more United States commercial paper dealers which would reoffer the notes as principals to investors or persons normally purchasing commercial paper notes, without advertisement or offer for sale to the general public. Applicant undertakes that each such dealer would provide each offeree of notes with a memorandum at least as comprehensive as those customarily prepared in connection with offers and sales in the United States of prime grade commercial paper of United States issuers. Applicant would not issue and sell notes without obtaining an opinion of its United States counsel that, under the circumstances of an offering, the notes would be entitled to a section 3(a)(3) exemption. Applicant does not request SEC review or approval of its U.S. counsel's opinion regarding the availability of the exemption and the SEC expresses no opinion as to the availability of the exemption.

Applicant's Undertakings

1. Applicant undertakes that any prospectus or memorandum relating to an offering of the type described above and in the application would contain a description of the business of Applicant. It would also contain Applicant's most recently published financial statements audited by a firm of independent public accountants of recognized international standing; and such prospectus or memorandum would disclose any material differences between the accounting principles applied in the preparation of such financial statements and United States generally accepted accounting principles applicable to United States insurance companies. Such financial statements would be updated promptly to reflect material changes in the financial condition of Applicant.

2. Applicant undertakes that any future issues of debt securities and commercial paper in the United States shall have received prior to issuance one of the three highest investment grade ratings from at least one nationally recognized statistical rating organization and that Applicant's United States counsel shall have certified that such rating has been received, provided, however, that no such rating need be obtained with respect to any such issue if, in the opinion of Applicant's United States counsel (after taking into consideration the doctrine of integration referred to in Rule 502 under the 1933 Act and various releases and no-action letters made public by the Commission), an exemption from registration is available under Section 4 of the 1933 Act.

3. Applicant undertakes that in the event of an offering in the United States of debt securities and commercial paper denominated in a currency other than United States dollars, Applicant will set forth in the prospectus or memorandum relating to such offering (i) the rate of exchange between the currency in which the securities are denominated and United States dollars as of a recent date and (ii) appropriate disclosure of the risks to investors regarding the potential for exchange rate fluctuations.

4. Applicant undertakes to submit expressly to the jurisdiction of the federal and New York State courts sitting in the City of New York for the purpose of any suit, action or proceeding arising out of any offering conducted in reliance upon any order granted pursuant to its application or in connection with the debt or equity securities or commercial paper distributed thereby. The Applicant further undertakes that in connection with any such offering it will appoint an agent to accept any process which may be served in an action based on any such offering and instituted in any State or Federal Court by the holder of such securities. Such submission to jurisdiction and appointment of an agent for service of process will be irrevocable for as long as any of the Applicant's securities issued in reliance upon any order granted pursuant to its application remain outstanding in the United States. Such submission to jurisdiction and appointment of agent for service of process will not affect the right of any holder of such securities to bring suit in any court having jurisdiction over the Applicant by virtue of the offer and sale of the securities or otherwise. The agent for service of process will not be a trustee for the holders of securities or have any responsibilities or duties to act for such holders.

5. Applicant undertakes with regard to public offerings of debt or equity securities that are not issued in the United States or sold to U.S. persons in primary offerings (but where, because of factors such as the development of a secondary market in the securities, there is a reasonable possibility that such debt or equity securities could be offered in the United States or to U.S. persons), that Applicant will adopt agreements and procedures reasonably designed to prevent such securities from being offered or sold in the United States or to U.S. persons (except as U.S. counsel may then advise is permissible).

6. As noted above, the Applicant has an insurance presence in the United States through Rockleigh, a Delaware holding company of three subsidiaries in the State of New York. Applicant is also subject to state regulation as part of an insurance holding system. The Applicant represents that it has no present intention to curtail its insurance operations in the United States so as to cease to be regulated as an insurance company in the United States. If, however, such operations are curtailed in the future with the result that the Applicant is no longer regulated as an insurance company in the United States, the Applicant agrees that it will continue to comply with the undertakings concerning the Applicant's submission to jurisdiction and appointment of an agent for service of process, as set forth in paragraph 4 above, until such time as there will be no holder in the United States of the Applicant's debt or equity securities or commercial paper issued in reliance upon any order made pursuant to the application. The Applicant will issue debt or equity securities or commercial paper in the United States only so long as the Applicant is supervised and examined by French government authorities having the power of supervision over insurance companies in France and, in respect of its U.S. insurance operations, by state authorities in the United States having the power of supervision over insurance companies in the United States. Applicant represents that it has no present intention to curtail its insurance operations in France so as to cease to be subject to insurance regulation in France.

7. Applicant consents to any SEC order granting the application being expressly conditioned upon its compliance with the undertakings and representations summarized above, including under the heading "Applicant's Representations", and more fully set forth in its application.

Applicant's Legal Analysis

The requested order is both necessary and appropriate in the public interest. Approval of the application would further the goal of the French privatization program to return major sectors of the French economy to private ownership by enhancing the ability of French companies to raise capital abroad. Approval would make Applicant's debt or equity securities or commercial paper available to the general investing public, as well as to institutional and sophisticated investors, subject to the protections of the U.S.

laws. The requested order is consistent with the protection of investors. The Applicant is subject to a comprehensive scheme of regulation both in France and the United States. The requested order is consistent with the purposes of the 1940 Act because regulation of institutions similar to the Applicant was not within the intent of the 1940 Act.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 87-25729 Filed 11-5-87; 8:45 am]

BILLING CODE 8010-01-M

[File No. 500-1]

Order of Trading Suspension; Transworld Network Corp.

October 29, 1987.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information relating to the securities of Transworld Network Corporation, formerly known as Monvert Financial Corp., (Transworld Network), a Nevada corporation headquartered in Kissimmee, Florida, and that questions have been raised about the adequacy and accuracy of publicly disseminated information concerning, among other things: the management of Transworld Network; control of Transworld Network; the beneficial ownership of its securities; its financial condition; its acquisitions; its principal shareholders; and, other matters. If further appears that three individuals, who were previously officers and directors according to the filings made by Transworld Network with the Commission pursuant to section 15(d) of the Securities Exchange Act of 1934, have denied having any involvement with the company. The Commission is of the opinion that the public interest and the protection of investors require a summary suspension of trading in the securities of Transworld Network.

Therefore, it is ordered, pursuant to section 12(k) of the Securities Exchange Act of 1934, that over-the-counter trading in the securities of Transworld Network is suspended, for the period commencing at 2:00 p.m. (EST) on October 29, 1987, and terminating at 12:01 a.m. (EST) November 9, 1987.

By the Commission.

Jonathan G. Katz,

Secretary.

[FR Doc. 87-25730 Filed 11-5-87; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

[87-29]

Aviation Proceedings; Agreements Filed During the Week Ending October 30, 1987

The following agreements were Filed with the Department of Transportation under the provisions of 49 U.S.C. 408, 409, 412, and 414. Answers may be Filed within 21 days of date of filing.

Docket No. 45244

Parties: Members of International Air Transport Association
Date Filed: October 26, 1987
Subject: Passenger Agency Conference—Australia
Proposed Effective Date: November 15, 1987

Docket No. 45245

Parties: Members of International Air Transport Association
Date Filed: October 26, 1987
Subject: Cargo Rates—Ex Nigeria
Proposed Effective Date: November 1, 1987

Docket No. 45246

Parties: Members of International Air Transport Association
Date Filed: October 26, 1987
Subject: Mid-Atlantic Cargo Rates
Proposed Effective Date: November 1, 1987 and April 1, 1988

Docket No. 45250

Parties: Members of International Air Transport Association
Date Filed: October 27, 1987
Subject: So. Atlantic—Europe Passenger Resolutions
Proposed Effective Date: December 1, 1987/January 1, 1988

Docket No. 45251

Parties: Members of International Air Transport Association
Date Filed: October 29, 1987
Subject: Europe—Southeast Asia Fares
Proposed Effective Date: April 1, 1988

Docket No. 45259

Parties: Members of International Air Transport Association
Date Filed: October 30, 1987
Subject: North/Central Pacific Passenger Fares
Proposed Effective Date: December 1, 1987 and April 1, 1988

Docket No. 45260

Parties: Members of International Air Transport Association
Date Filed: October 30, 1987
Subject: Interline Baggage Tag
Proposed Effective Date: December 1, 1987

Phyllis T. Kaylor,

Chief, Documentary Services Division.

[FR Doc. 87-25757 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-62-M

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed During the Week Ending October 30, 1987

The following applications for certificates of public convenience and necessity and foreign air carrier permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 *et. seq.*). The due date for answers, conforming application, or motion to modify scope are set forth below for each application. Following the answer period DOT may process the application by expedited procudures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket No. 45247

Date Filed: October 26, 1987
Due Date for Answers, Conforming Applications, or Motion to Modify Scope: November 23, 1987.
Description: Application of Time Air Inc., pursuant to section 402 of the Act and Subpart Q of the Regulations, applies for issuance of a foreign air carrier permit, to authorize it to engage in foreign scheduled air transportation of persons, property and mail between Great Falls, Montana and Calgary/Lethbridge, Alberta.

Docket No. 45249

Date Filed: October 27, 1987
Due Date for Answers, Conforming Applications, or Motions to Modify Scope: November 24, 1987.
Description: Application of Trans World Airlines, Inc. pursuant to section 401 of the Act and Subpart Q of the Regulations, applies for an amendment of its certificate of public convenience and necessity for Route 147 authorizing it to provide air transportation services between a point to points in the United States and Oslo, Norway, as well as local traffic rights between Oslo, on the one hand, and Stockholm, Sweden, and Copenhagen, Denmark, on the other.

Docket No. 45255

Date Filed: October 29, 1987
Due Date for Answers, Conforming Applications, or Motions to Modify Scope: November 27, 1987.
Description: Application of Florida National Airlines, Inc. pursuant to section 401(d)(1) of the Act and Subpart Q of the Regulations requests a certificate of public convenience and necessity to engage in scheduled interstate and overseas air transportation and for a fitness determination.

Docket No. 45258

Date Filed: October 30, 1987
Due Date for Answers, Conforming Applications, or Motions to Modify Scope: November 27, 1987.

Description: Application of Air Atonabee Limited d/b/a City Express, pursuant to section 402 of the Act and Subpart Q of the Regulations, requests a foreign air carrier permit authorizing scheduled air transportation between Montreal (Mirabel International Airport), Quebec, Canada and Newark, New Jersey, United States.

Phyllis T. Kaylor,

Chief, Documentary Services, Division.

[FR Doc. 87-25758 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-62-M

Saint Lawrence Seaway Development Corporation

Advisory Board; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation, to be held at 10:00 a.m., December 3, 1987, at the Corporation's Administration Headquarters, Room 5424, 400 Seventh St. SW., Washington, DC. The agenda for this meeting will be as follows: Opening Remarks, Consideration of Minutes of Past Meeting; Review of Programs; Business, Closing Remarks.

Attendance at meeting is open to the interested public but limited to the space available. With the approval of the Administrator, members of the public may present oral statements at the meeting. Persons wishing further information should contact not later than November 25, 1987, Joan C. Hall, Advisory Board Liaison, Saint Lawrence Seaway Development Corporation, 400 Seventh Street SW., Washington, DC 20590; 202/366-0118.

Any member of the public may present a written statement to the Advisory Board at any time.

Issued at Washington, DC on October 30, 1987.

Joan C. Hall,

Advisory Board Liaison.

[FR Doc. 87-25693 Filed 11-5-87; 8:45 am]

BILLING CODE 4910-61-M

Sunshine Act Meetings

Federal Register
Vol. 52, No. 215
Friday, November 6, 1987

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

COMMISSION ON CIVIL RIGHTS

November 3, 1987.

PLACE: 1121 Vermont Avenue, NW., Room 512 Washington, DC 20425.

DATE AND TIME: Friday, November 13, 1987, 9:00 a.m.–5:00 p.m.

STATUS OF MEETING: Open to the public.

MATTERS TO BE CONSIDERED:

I. Approval of Agenda
II. Approval of Minutes of September and October Meetings
III. Staff Director's Report for September and October
  A. Status of Earmarks
  B. Personnel Report
  C. Activity Report
IV. Project Proposals for FY 88
V. SAC Recharters
VI. Discussion by SAC Chairs

PERSON TO CONTACT FOR FURTHER INFORMATION: John Eastman, Press and Communications Division, (202) 376–8105.

William H. Gillers,
Solicitor, 376–8514.

[FR Doc. 87–25806 Filed 11–4–87; 8:59 am]
BILLING CODE 6335–01–M

FARM CREDIT ADMINISTRATION

SUMMARY: Notice is hereby given, pursuant to the Government in the Sunshine Act (5 U.S.C. 552b(e)(3)), of the forthcoming special meeting of the Farm Credit Administration Board (Board).

DATE AND TIME: The meeting is scheduled to be held at the offices of the Farm Credit Administration in McLean, Virginia, on November 10, 1987, from 9:00 a.m. until such time as the Board may conclude its business.

FOR FURTHER INFORMATION CONTACT: David A. Hill, Secretary to the Farm Credit Administration Board, 1501, Farm Credit Drive, McLean, Virginia 22102–5090 (703–883–4003).

ADDRESS: Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102–5090

SUPPLEMENTARY INFORMATION: This meeting of the Board will be open to the public (limited space available). The matter to be considered at the meeting is:

1. Final Regulations Covering Regulatory Accounting Practices, 12 CFR 624.

Dated: November 4, 1987.

David A. Hill,
Secretary, Farm Credit Administration Board.

[FR Doc. 87–25914 Filed 11–4–87; 4:01 pm]
BILLING CODE 6705–01–M

FEDERAL ENERGY REGULATORY COMMISSION

November 3, 1987.

The following notice of meeting is published pursuant to Section 3(a) of the Government in the Sunshine Act (Pub. L. No. 94–409), 5 U.S.C. 552B:

TIME AND DATE: November 10, 1987, 10:00 a.m.

PLACE: 825 North Capitol Street, NE., Room 9306, Washington, DC 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

*Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Lois D. Cashell, Acting Secretary (202) 357–8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Public Reference Room.

Consent Power Agenda, 866th Meeting—November 10, 1987—Regular Meeting (10:00 a.m.)

CAP–1.
  Project No. 96–011, Pacific Gas & Electric Company
CAP–2.
  Project No. 405–022, Philadelphia Electric Power Company and The Susquehanna Power Company
CAP–3.
  Project No. 3490–004, Potter Township, Pennsylvania
CAP–5.
  Project Nos. 8160–010 and 002, Dale L. R. Lucas, Alternate Energy Resources, Inc.
CAP–6.
  Project No. 9167–007, Pennsylvania Hydroelectric Development Corporation
CAP–7.
  Project No. 10338–001, Longhill Associates
CAP–8.
  Project No. 10341–003, Gen Irrigation District
  Project No. 10342–001, City of Tacoma, Washington
CAP–9.
  Project No. 10398–001, Skykomish River Hydro
CAP–10.
  Project No. 3189–015, Rock Creek Limited Partnership
CAP–11.
  Omitted
CAP–12.
  Project No. 8924–001, Northeast Hydrodevelopment Corporation
CAP–13.
  Docket No. EL86–32–001, Eastern Band of Cherokee Indians
CAP–14.
  Docket No. ER87–614–000, The Washington Water Power Company
CAP–15.
  Docket No. ER85–705–006, Boston Edison Company
CAP–16.
  Docket No. EL87–21–002, Yankee Atomic Electric Company
  Docket No. EL87–22–002, Vermont Yankee Nuclear Power Corporation
  Docket No. EL87–23–002, Connecticut Yankee Atomic Power Company
CAP–17
  Docket No. ER87–388–002, New England Hydro Transmission Corporation, New England Hydro Transmission Electric Company, New England Power Company, Boston Edison Company and Public Service Company of New Hampshire
CAP–18.
  Docket No. ER86–108–002, Idaho Power Company
  Docket Nos. ER86–570–000 and 001 The Washington Water Power Company
CAP–19.
  Docket Nos. ER–87–010, 011 and 012, Alamit. Company
CAP–20.
  Docket No. No. ER87–390–001, Connecticut Yankee Atomic Power Company
CAP–21.
  Omitted
CAP–22.
  Docket No. EL87–58–000, Cities of Newark, New Castle, Seaford and Milford, Delaware and the Towns of Smyrna, Clayton, Middletown and Lewes, Delaware V. Delmarva Power & Light Company
CAP–23.
  Docket No. QF87–320–000, Overland Energy Corporation
CAP–24.
  Docket No. QF87–64–001, StarMark Energy Systems, Inc.

Consent Miscellaneous Agenda

CAM–1.
  Docket No. FA87–71–000, Cambridge Electric Light Comapny
CAM–2.
  Docket No. RM83–39–000, List of Units of Property for Use in Accounting for Additions and Retirements of Reactor Plant Equipment
CAM–3.

Docket No. RM87-29-000, State Corporation Commission of the State of Kansas

CAM-4.
Docket No. GP87-11-001, ANR Pipeline Company v. Conoco, Inc.

CAM-5.
Docket No. GP83-35-001, Southern Natural Gas Company

CAM-6.
Docket No. GP87-59-000, Department of Interior, Bureau of Indian Affairs, Osage Agency

CAM-7.
Omitted

CAM-8.
Docket No. GP87-24-000, Pensylvania Department of Environmental Resources, Bureau of Oil and Gas Management, NGPA Section 102, Fox Oil & Gas, Inc., Earl Buterbaugh No. 2 Well, FERC No. JD84-12150, Anthony Bernecky No. 1 Well, FERC No. JD84-12986

CAM-9.
Docket No. RO87-4-000, Texaco Inc.

CAM-10.
Docket Nos. RM87-3-019 and 020, Annual Charges Under the Omnibus Budget Reconciliation Act of 1986

CAM-11.
Docket No. RM85-6-000, Waiver of the Water Quality Certification Requirements of Section 401(a)(1) of the Clean Water Act

Consent Gas Agenda

CAG-1.
Docket Nos. RP87-70-003, RP82-124-008 and CP86-275-005, East Tennessee Natural Gas Company

CAG-2.
Docket No. RP87-89-001, Northwest Alaskan Pipeline Company

CAG-3.
Docket No. RP87-95-002, Panhandle Eastern Pipeline Company

CAG-4.
Docket No. RP87-103-001, Panhandle Eastern Pipeline Company

CAG-5.
Docket No. RP87-103-002, Panhandle Eastern Pipeline Company

CAG-6.
Docket No. RP87-134-001, ANR Pipeline Company

CAG-7.
Docket No. TA87-2-2-002, East Tennessee Natural Gas Company

CAG-8.
Docket No. TA85-3-29-028, Transcontinental Gas Pipeline Corporation

CAG-9.
Docket No. TA87-3-16-003, National Fuel Gas Supply Corporation

CAG-10.
Docket No. TA87-4-17-008, Texas Eastern Transmission Corporation

CAG-11.
Omitted

CAG-12.
Docket No. RP84-53-004, Ozark Gas Transmission System

CAG-13.
Docket Nos. RP85-175-008 through 012, Transwestern Pipeline Company

CAG-14.
Omitted

CAG-15.
Docket Nos. CP86-582-002, 004 through 013, 015, RP86-162-003 through 012, 014, RP85-150-009 through 013 and RP86-97-010 through 017, Natural Gas Pipeline Company of America

CAG-16.
Docket No. RP87-85-000, Florida Gas Transmission Company

CAG-17.
Docket No. RP82-80-026, ANR Pipeline Company

CAG-18.
Docket No. RP86-35-005, Great Lakes Gas Transmission Company

CAG-19.
Docket Nos. TA85-2-48-000, TA86-1-48-000, TA86-3-48-000, RP87-1-48-000 and TA87-3-48-000, ANR Pipeline Company

CAG-20.
Docket No. RP87-63-000, Western Gas Interstate Company

CAG-21.
Docket Nos. ST87-2931-000, ST87-2932-000, ST87-2933-000, ST87-2934-000, ST87-2935-000, ST87-2936-000 and ST87-2937-000, Lear Gas Transmission Company

CAG-22.
Docket No. G-3244-001, Cabot Corporation
Docket Nos. CI87-885-000 and CI87-886-000, Cities Service Oil and Gas Corporation

CAG-23.
Docket Nos. CI86-418-000 and CI86-424-000, El Paso Natural Gas Company

CAG-24.
Docket No. CI87-767-000, Ensource Inc.

CAG-25.
Docket No. CI87-500-000, Champlin Petroleum Company

CAG-26.
Docket Nos. CP87-259-001 and 002, Northwest Pipeline Corporation

CAG-27.
Docket Nos. CP87-386-003 and CP87-406-002, Florida Gas Transmission Company

CAG-28.
Docket Nos. CP86-395-007 and 008, Northern Border Pipeline Company

CAG-29.
Docket Nos. CP87-332-001, CP87-333-001 and CP87-334-001, Trunkline Gas Company

CAG-30.
Docket No. CP86-725-001, United Gas Pipe Line Company and Trunkline Gas Company

CAG-31.
Docket No. CP87-225-001, South Jersey Gas Company, Complainant v. SunOlin Chemical Company, Respondent

CAG-32.
Docket No. CP87-299-002, Northern Natural Gas Company, Division of Enron Corporation

CAG-33.
Docket No. CP87-141-001, Colorado Interstate Gas Company

CAG-34.
Docket No. CP83-140-005, K N Energy, Inc.

CAG-35.
Docket Nos. CP86-275-001, 002 and 003, East Tennessee Natural Gas Company

CAG-36.
Docket No. CP87-328-000, Northwest Pipeline Corporation

CAG-37.
Docket No. CP87-176-000, Panhandle Eastern Pipe Line Company and National Helium Corporation

CAG-38.
Docket No. CP87-139-000, Southern Natural Gas Company

CAG-39.
Docket No. CP87-216-000, Lone Star Gathering Company

I. Licensed Project Matters

P-1.
Project Nos. 3258-002, 3583-001, 3741-001, 3742-001 and Docket No. EL85-19-102, Joseph M. Keating
Project No. 6156-003, Morris M. Zack and Milton M. Zack. Applications for license for projects located in the Owens River Basin, California; orders complete the cluster Impact Assessment Procedure for the Basin.

P-2.
Project No. 6188-001, Camille E. Held, Walton B. Held, A.W. Stuart Trust, W. Titus Nelson and Dale E. Grenoble. Applications for license for projects located in the Owens River Basin, California; orders complete the cluster Impact Assessment Procedure for the Basin.

P-3.
Project No. 4669-002, John L. Symons. Applications for license for projects located in the Owens River Basin, California; orders complete the cluster Impact Assessment Procedure for the Basin.

II. Electric Rate Matters

ER-1.
Docket No. ER81-177-002, Southern California Edison Company. Opinion and order determining just and reasonable rates.

Miscellaneaous Agenda

M-1.
Reserved

M-2.
Reserved

M-3.
Docket No. RM87-16-000, Abandonment of Sales and Purchases of Natural Gas Under Expired, Terminated or Modified Contracts. Final Rule.

I. Pipeline Rate Matters

RP-1.
Docket No. RP85-122-000, Colorado Interstate Gas Company. Whether to approve an initial decision involving issues concerning minimum bill, rate design, imputed volumes, transportation rate, and cost of service.

RP-2.
Docket No. RP85-125-000, Distrigas of Massachusetts Corporation. Whether to approve an initial decision involving issues concerning minimum bill, rate design, cost allocation, and cost of service.

II. Producer Matters

CI–1.
Docket Nos. CI77–337–002 and G–14227–001, Union Texas Petroleum Corporation. Opinion No. 274–A and order on rehearing.

CI–2.
Docket No. CI84–10–006, Felmont Oil Corporation and Essex Offshore, Inc. Order on remand.

III. Pipeline Certificate Matters

CP–1.
Docket Nos. CP86–492–000 and CP86–494–000, Moraine Pipeline Company.
Docket No. CP86–493–000, Natural Gas Pipeline Company of America. Request for 7(C) authorization by an interstate pipeline to transport gas on behalf of an LDC and request for optional certificate to construct facilities and transport gas.

CP–2.
Docket No. CP87–13–000, Brooklyn Union Gas Company v. Distrigas of Massachusetts Corporation.
Docket No. CP87–30–000, Boston Gas Company v. Distrigas of Massachusetts and Distrigas Corporation. Complaint demanding modification of a certificate to sell gas.

CP–3.
Docket Nos. CP84–348–005, 006 and 007, Mississippi River Transmission Corporation
Docket No. CP84–183–004, Transcontinental Gas Pipe Line Corporation
Docket Nos. CI86–307–002, 003, CI86–688–002, 003, CI86–689–001 and 002, Sea Robin Pipeline Company. Rehearing of order authorizing pipeline to cease purchasing from producer.

CP–4.
Docket Nos. RP86–116–007, 008, CP86–585–003 and 004, Panhandle Eastern Pipe Line Company. Rehearing of order denying request for blanket certificate and terminating rate schedule.

CP–5.
Docket Nos. RP86–116–013, CP86–301–004 and CP86–317–005, Panhandle Eastern Pipe Line Company. Order on contested settlement regarding refunds due under pipeline tariff.

Lois D. Cashell,
Acting Secretary.
[FR Doc. 87–25879 Filed 11–4–87; 2:40 pm]
BILLING CODE 6717–01–M

FEDERAL RESERVE SYSTEM

TIME AND DATE: 10:00 a.m., Thursday, November 12, 1987.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Federal Reserve Bank and Branch director appointments.
2. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
3. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452–3204. You may call (202) 452–3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Date: November 4, 1987.

James McAfee,
Associate Secretary of the Board.
[FR Doc. 87–25917 Filed 11–4–87; 4:01 pm]
BILLING CODE 6210–01–M

FEDERAL RESERVE SYSTEM

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 52 FR 42060, November 2, 1987.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Approximately 10:30 a.m., Thursday, November 5, 1987, following a recess at the conclusion of the open meeting.

CHANGES IN THE MEETING: Addition of the following closed item(s) to the meeting:

Preliminary consideration of testimony on banking issues.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452–3204.

Date: November 5, 1987.

James McAfee
Associate Secretary of the Board.
[FR Doc. 87–25878 Filed 11–4–87; 2:40 pm]
BILLING CODE 6210–01–M

INTERNATIONAL BROADCASTING BOARD

TIME AND DATE: 9:00 A.M. November 20, 1987.

PLACE: Madison Hotel, Board Room, 15th & M Streets, Washington, DC

STATUS: Closed, pursuant to 5 U.S.C. 552(b)(c)(1) 22 CFR 1302.4 (c) and (h) of the Board's rules (42 FR 9388, March 12, 1977).

MATTERS TO BE CONSIDERED: Matters concerning the broad foreign policy objectives of the United States Government.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Bruce D. Porter, Executive Director, Board for International Broadcasting, Suite 400, 1201 Connecticut Avenue, NW., Washington, DC 20036.

Bruce D. Porter,
Executive Director.
[FR Doc. 87–25837 Filed 11–4–87; 11:07 am]
BILLING CODE 6155–01–M

Corrections

Federal Register
Vol. 52, No. 215
Friday, November 6, 1987

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents and volumes of the Code of Federal Regulations. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1030

[Docket No. AO-361-A25]

Milk in the Chicago Regional Marketing Area; Order Amending Order

Correction

In rule document 87-24557 beginning on page 39611 in the issue of Friday, October 23, 1987, make the following correction:

§ 1030.55 [Corrected]

On page 39613, in the first column, in § 1030.55(b), in the third line, "(or plants) and" should read "(or plants) an".

BILLING CODE 1505-01-D

DEPARTMENT OF DEFENSE

Department of the Navy

Chief of Naval Operations; Executive Panel Advisory Committee; Closed Meeting

Correction

In notice document 87-24781 appearing on page 41319 in the issue of Tuesday, October 27, 1987, make the following correction:

In the first column, in the first paragraph, after "material" insert "critical".

BILLING CODE 1505-01-D

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Part 193

[PP 7H5532/R91; FRL-3282-9]

Pesticide Tolerances for Metalaxyl; Certain Food and Feed Commodities

Correction

In rule document 87-24941 beginning on page 41417 in the issue of Wednesday, October 28, 1987, make the following correction:

§ 193.277 [Corrected]

On page 41418, in the second column, in § 193.277(d), in the sixth line, "methylphenyl" was misspelled.

BILLING CODE 1505-01-D

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-51697; FRL-3280-5]

Certain Chemicals Premanufacture Notices

Correction

In notice document 87-24577 beginning on page 39704 in the issue of Friday, October 23, 1987, make the following corrections:

1. On page 39705, in the second column, under **P 88-5**, in the fourth line, "*Use/Import*" should read "*Use/Production*".

2. On page 39706, in the second column, under **P 88-32**, in the third line, "Pentaerythritol" was misspelled.

BILLING CODE 1505-01-D

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-59836; FRL-3280-4]

Certain Chemicals Premanufacture Notices

Correction

In notice document 87-24576 appearing on page 39704 in the issue of Friday, October 23, 1987, make the following correction:

In the first column, under **SUMMARY**, in the 12th line, "48 FR 1722" should read "48 FR 21722".

BILLING CODE 1505-01-D

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-59250A; FRL-3284-2]

Toxic and Hazardous Substances; Certain Chemicals; Approval of Test Marketing Exemptions

Correction

In notice document 87-25041 beginning on page 41623 in the issue of Thursday, October 29, 1987, make the following correction:

On page 41624, in the first column, under *T87-32*, in the second line, "September 29, 1987" should read "September 19, 1987".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 177

[Docket No. 86F-0294]

Indirect Food Additives; Polymers

Correction

In rule document 87-24523 beginning on page 39635 in the issue of Friday, October 23, 1987, make the following correction:

§ 177.1500 [Corrected]

On page 39636, in § 177.1500(b), in the table, under "Specific gravity", remove "6/12".

BILLING CODE 1505-01-D

LEGAL SERVICES CORPORATION

45 CFR Part 1607

Governing Bodies

Correction

In proposed rule document 87-24271 beginning on page 38900 in the issue of Monday, October 19, 1987, make the following corrections:

1. On page 38901, in the second column, in the second complete paragraph, in the 22nd line, "was" should read "has".

§ 1607.3 [Corrected]

2. On page 38902, in the first column, in § 1607.3(c), in the 19th line, after "association" insert a comma.

§ 1607.7 [Corrected]

3. On the same page, in the third column, in § 1607.7, in the first paragraph designated "(a)", in the fifth line, after "body" insert a semi-colon.

4. On the same page, in the same column, in § 1607.7, the second paragraph designated "(a)" is correctly designated "(e)".

BILLING CODE 1505-01-D

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 870, 871, 872, 873, and 890

Federal Employees Group Life Insurance and Health Benefits Programs; Coverage After Retirement Under FERS

Correction

In rule document 87-24359 beginning on page 39493 in the issue of Thursday, October 22, 1987, make the following correction:

On page 39493, in the first column, under **DATES**, in the first and second lines, "January 1, 1988" should read "January 1, 1987".

BILLING CODE 1505-01-D

federal register

Friday
November 6, 1987

Part II

Department of Transportation

Research and Special Programs Administration

49 CFR Parts 171 Through 179
Performance-Oriented Packaging Standards; Proposed Rulemaking

BEST COPY AVAILABLE

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 171 through 179

[Docket No. HM-181, Notice No. 87-4]

Performance-Oriented Packaging Standards; Miscellaneous Proposals; Corrections and Supplemental Proposals

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of proposed rulemaking (NPRM); corrections and supplemental proposals.

SUMMARY: This document revises the notice of proposed rulemaking (NPRM) regarding performance-oriented packaging published on May 5, 1987 (52 FR 16482) to provide supplements and corrections to the proposals contained therein. In the May 5 publication, the Research and Special Programs Administration (RSPA) indicated that because of the magnitude of the proposals contained in the notice, it was inevitable that errors and omissions would come to light subsequent to publication and that a supplementary NPRM would be issued as soon as possible. The supplements and corrections contained in this notice address errors and omissions which have been brought to RSPA's attention since publication of the May 5 NPRM.

DATE: Comments must be received on or before February 26, 1988.

ADDRESSES: Address comments to: Dockets Branch, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590. Comments should identify the docket and be submitted, if possible, in five copies. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed stamped postcard. The Dockets Branch is located in Room 8426, Nassif Building, 400 Seventh Street SW., Washington, DC 20590, telephone number (202) 366-5046. Public dockets may be reviewed between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Edward T. Mazzullo, Standards Division, Office of Hazardous Materials Transportation, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590. Telephone: (202) 366-4488.

SUPPLEMENTARY INFORMATION:

I. General Discussion

This document supplements and corrects Docket HM-181, Notice No. 87-4, published on May 5, 1987 (52 FR 16482). The changes made in this document are generally based on errors and omissions pointed out to RSPA from the publication of the NPRM through August 1, 1987, but also involve supplemental proposals. The preamble discussion contained in the following paragraphs is addressed to the changes made to the May 5 NPRM. This discussion concerns some of the major issues addressed, and a section by section review of the changes. To aid the reader, the corrected regulatory text is republished in its entirety. An itemized listing of changes made in this document is available from the RSPA upon request. A lengthy discussion of the background to this rule is contained in the May 5 NPRM, including its history, a list of major features and a comprehensive section by section review of the proposals. Interested readers should refer to the May 5 NPRM (pages 52 FR 16482 through 16491) for this detailed background information.

Provisions for Tank Cars

On January 27, 1984, RSPA published a final rule (49 FR 3468) under Docket HM-175, entitled "Specifications for Railroad Tank Cars Used to Transport Hazardous Materials". In the preamble to that final rule, it was noted that FRA and RSPA would continue to evaluate the need for new rules for tank car tanks used for hazardous materials. Since publication of the final rule, FRA and RSPA have evaluated information from various sources including, but not limited to research studies and National Transportation Safety Board recommendations. Based upon an evaluation of this information, the May 5 NPRM under Docket HM-181 proposed new tank car standards for certain materials which are toxic by inhalation. The notice also proposed to specify thermal protection, head protection and larger safety valves for certain materials which would be reclassified as flammable gases under the proposed hazard class definitions. The notice further proposed improved outage requirements for certain materials and a new requirement for the inerting of tank car tank shipments of acetaldehyde.

In comments to the docket, it was pointed out to RSPA that there were inconsistencies between some of the bulk special provisions in § 172.101 and specific packaging sections in Part 173, that some of the proposed authorizations for use of tank cars were inappropriate for the materials to be packaged, and that certain tank cars would be rendered obsolete by the proposals. In this document, changes are made to correct inconsistencies and errors relating to authorizations for use of tank cars. Also, "grandfather" provisions are added to permit use of certain currently-authorized tank cars, in those instances where such continued usage is not believed to be detrimental to safety.

It should be noted that RSPA and FRA will continue to evaluate the need for new rules (over and above the proposals contained in the May 5 NPRM and this document) relating to the rail transportation of hazardous materials. For example, the FRA is sponsoring research on thermal and head protection requirements for aluminum tank cars and innovative head protection concepts for all tank cars used for hazardous materials, which may lead to future rulemaking action.

Materials Which Are Toxic By Inhalation

The provisions which were proposed in the May 5 NPRM for determining hazard classes and packing groups for materials which are toxic by inhalation did not specifically address mixtures and did not include limit tests for determining packing groups. To facilitate these determinations without requiring extensive animal testing, a new paragraph is added to § 173.133 to provide two methods of evaluating mixtures for inhalation toxicity. The first method provides for the numerical estimation of the LC_{50} of a mixture when the concentrations of its individual constituents are known. The second method allows the use of simplified threshold tests with animals when the data are unavailable to conduct the numerical estimation.

One of the most significant proposals in the notice concerns the designation of certain gases and liquids as poisonous (toxic) by inhalation for purposes of hazard communication (i.e., they must be identified on shipping papers and packages as an "Inhalation Hazard") and in some instances, for purposes of packaging. Division 2.3 gases (Packing Groups I, II and III) and Division 6.1, Packing Group I, poisons which are inhalation toxic were made subject to these additional requirements. These materials were identified by Special Provision 10 appearing in Column 7 of the § 172.101 Table in the May 5 NPRM, and appear in the following list:

Acetone cyanohydrin
Acrolein, inhibited
Acrylonitrile, inhibited
Allyl alcohol

Allylamine
Ammonia anhydrous
Arsenic trichloride
Arsine
Boron trichloride
Boron trifluoride
Bromine
Bromine chloride
Bromine pentafluoride
Bromine trifluoride
Bromoacetone
sec-Butyl chloroformate
n-Bulyl isocyanate
tert-Butyl isocyanate
Carbon dioxide and ethylene oxide mixtures
Carbon monoxide, cryogenic
Carbon monoxide gas
Carbon monoxide and hydrogen mixture
Carbonyl fluoride
Carbonyl sulfide
Chlorine
Chlorine pentafluoride
Chlorine trifluoride
Chloroacetic acid
Chloro acetonitrile
Chloroacetophenone, liquid
Chloropicrin
Chloropicrin/Methyl bromide
Chloropicrin/Methyl chloride
Chloropicrin mixtures, n.o.s.
Chloropivaloyl chloride
Coal gas
Compressed or liquefied gases, flammable, toxic, n.o.s.
Compressed or liquefied gases, toxic, n.o.s.
Crotonaldehyde, stabilized
Cyanogen, liquified
Cyanogen bromide
Cyanogen chloride
Cyclohexyl isocyanate
Diborane
Dichlorodifluoromethane and ethylene oxide mixture
Dichlorosilane
3,5 Dichloro-2,4,6 trifluoropyridine
Dimethylamine, anhydrous
Dimethyldichlorosilane
Dimethyl hydrazine, unsymmetrical
Dimethyl hydrazine, symmetrical
Di-n-amylamine
Di-(n-bulyl) amine
Dimethyl phosphorochloridothioate
Diphenylchloroarsine
Epichlorohydrin
Ethyl chloride
Ethyl chloroformate
Ethyl chlorothioformate
Ethyl dichloroarsine
Ethylene chlorohydrin
Ethylene dibromide
Ethyleneimine
Ethylene oxide
Ethyl fluoride
Ethyl isocyanate
Ethyltrichlorosilane
Fluorine, gas
Furan
Gas identification kit
Germane
Hexaethyltetraphosphate and compressed gas mixtures
Hexafluoroacetone
Hydrogen bromide, anhydrous
Hydrogen chloride, anhydrous
Hydrogen chloride, refrigerated liquid
Hydrogen cyanide, anhydrous
Hydrogen selenide, anhydrous
Hydrogen sulfide, liquefied
Insecticide gases, toxic, n.o.s.
Iron pentacarbonyl
Isopropyl chloroformate
Methacrylonitrile, inhibited
Methoxymethyl isocyanate
Methylamine, anhydrous
Methyl bromide
Methyl bromide and ethylene dibromide mixtures, liquid
Methyl chloride
Methyl chloroformate
Methyl chloromethyl ether
Methyl chlorosilane
Methyl dichloroarsine
Methyl dichlorosilane
Methylene isocyanate
Methyl hydrazine
Methyl isocyanate
Methyl isothiocyanate
Methyl mercaptan
Methyl orthosilicate
Methylphosphonic dichloride
Methylphophonous dichloride
Methyltrichlorosilane
Nickel carbonyl
Nitric acid, fuming
Nitric oxide
Nitric oxide and nitrogen tetroxide mixtures
Nitrogen dioxide, liquefied
Nitrogen trifluoride
Nitrogen trioxide
Nitrosyl chloride
Nitrous oxide, compressed
Nitrous oxide, refrigerated
tert-Octyl mercaptan
Organic phosphate mixed with compressed gas
Oxygen difluoride
Parathion and compressed gas mixture
Perchloro methylmercaptan
Perchloryl fluoride
Phenyl carbylamine chloride
Phenyldichloroarsine
Phenyl isocyanate
Phenyl mercaptan
Phenyl trichlorosilane
Phosgene
Phosphine
Phosphorus oxychloride
Phosphorus pentafluoride
Phosphorus trichloride
n-Propyl chloroformate
Selenium hexafluoride
Silicon tetrafluoride
Stibine
Sulfur dioxide, liquefied
Sulfur tetrafluoride
Sulfuryl fluoride
Tear gas devices (>2% tear gas substances)
Tellerium hexafluoride
Tetraethyldithiopyrophosphate and gases
Tetraethyl lead, liquid
Tetraethyl pyrophosphate and compressed gas mixture
Thia-4 pentanal
Thiophosgene
Titanium tetrachloride
Trimethyl chlorosilane
Trimethoxy silane
Tungsten hexafluoride
Xylyl bromide

Based on further review and evaluation of available data, RSPA believes that a number of these materials are incorrectly designated as toxic by inhalation and that certain other materials should be designated as being toxic by inhalation. In addition, there are a number of materials for which data are insufficient to make a conclusive determination. These categories of materials are set forth as follows:

Materials for which Special Provision 10 is added in this notice:

Allyl chloroformate
n-Butyl chloroformate
Chloroacetone, stabilized
Chloroacetophenone, solid
Chloroformates (not all mixtures)
Diketene
Dimethyl thiophosphoryl chloride
Diphenylamine chloroarsine
Ethyl phosphonothioic dichloride, anhydrous
Hexachlorocyclopentadiene
Nitric acid, with more than 70% nitric acid
Pentaborane
Sulfur chloride (mono)
Sulfur trioxide
Tetranitromethane
Thionyl chloride

Materials for which Special Provision 10 is removed from the § 172.101 Table in this notice:

Di-n-amylamine
Di-(n-butyl) amine
Epichlorohydrin
Ethyl chloride
Ethyltrichlorosilane
Furan
Methacrylonitrile, inhibited
Tetraethyl lead, liquid
Thia-4-pentanal

Materials which remain in the § 172.101 lable designated, by Specia1 Provision 10, as toxic by inhalation for which data are inconclusive:

Acrylonitrile, inhibited
Dimethyldichlorosilane
Methyl dichlorosilane

Methyl trichlorosilane
Phenyl trichlorosilane
Trimethyl chlorosilane

Materials which may be toxic by inhalation but are not designated as such by Special Provision 10 in the § 172.101 Table:

Chloropicrin mixtures, n.o.s.
Chlorosulfonic acid
Cumyl hydroperoxide
Ethyl phosphonous dichloride
Hydrazine
Hydrobromic acid, greater than 49% concentration
Isophorone diisocyanate
Methyl fluoride
Methyl parathion
Nitrocresol
Phosphorous pentachloride
Phosphorous pentoxide
Pivaloyl chloride
Propyl trichlorosilane
Sulfuric acid, fuming
Sulfuryl chloride
Tetraethyl dithiopyrophosphate
Thionyl chloride
Tributyl amine
Trimelhyl acetyl chloride
Vanadium oxytrichloride

RSPA is considering further rulemaking action under Docket HM–196 to address issues involving inhalation toxic materials, such as classification, test criteria and packing group criteria. However, RSPA requests comments in this docket addressed to the toxicity of specific materials and other issues involving toxicity by inhalation.

Section 172.101 Table

The preamble to the § 172.101 Table is revised to be consistent with the changes made under Docket HM–145F for hazardous substances. Also, it is proposed, in paragraph (c)(10) of § 172.101, to adopt criteria contained in the UN Recommendations for selection of shipping names for mixtures and solutions.

With the exception of "n.o.s." entries, all entries for hazardous substances in the ORM–E hazard class (89) are removed from the Table. Approximately 50 names for hazardous substances in classes other than ORM–E are also removed. Exclusive of the ORM–E entries, approximately 490 entries in the § 172.101 Table are revised. The Table presented in the May 5 NPRM was based on the 1984 edition of the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions). The vast majority of changes (257) to the Table consist of updating shipping names (additions, deletions and revisions) and aircraft quantity limitations (revisions) to be consistent with both the United Nations Recommendations on the Transport of Dangerous Goods (UN Recommendations), fourth revised edition, and the 1987–1988 edition of the ICAO Technical Instructions. Consistency with the ICAO Technical Instructions is not maintained for poisonous materials in Packing Group I and gases which are toxic by inhalation for which RSPA proposes that they not be permitted for transport aboard aircraft. A series of "n.o.s." entries (i.e., "not otherwise specified") is added to address inhalation toxic liquids which are not specifically named (e.g., "Poisonous liquids, n.o.s., *inhalation hazard, Packing Group I, Zone A"),* to correct a deficiency in the May 5 NPRM. Other changes include corrections of typographical and spelling errors (114) and revisions and additions of shipping descriptions to eliminate errors and omissions (72). A listing of the specific changes is available from RSPA upon request.

Columns 10A, 10B and 10C contain stowage requirements for hazardous materials aboard vessels. Although not presented in the regulatory text of this document, RSPA proposes to eliminate these requirements and in their place to require compliance with stowage requirements contained in the International Maritime Dangerous Goods Code (IMDG Code). This would simplify the § 172.101 Table and recognizes RSPA's belief that, as a practical matter, compliance with the IMDG Code is necessary for shipments by vessel at present. Comments addressed to this proposal are requested.

Labeling and Placarding

The May 5 NPRM is modified to include provisions for the Class 9 label which were recently added to the UN Recommendations and to include requirements for multiple labeling based on the UN Recommendations. It is proposed to not require placards for Division 6.1, Packing Group III (i.e., "KEEP AWAY FROM FOOD") because placards for this class serve little, if any, useful purpose from the standpoint of emergency response. Also, no placards are proposed for Class 9.

Section 172.510 is modified to require display of POISON or POISON GAS placards on square backgrounds on rail cars for those materials in Division 2.3 or 6.1 which meet Packing Group I criteria for inhalation toxicity. As originally proposed, all packing groups within Division 2.3 would require the square background and Division 6.1 materials which are toxic by inhalation (some of which are currently Poison A materials) would not require the square background. RSPA does not believe that Packing Group II or III materials warrant the same restrictive handling provisions as now apply to Poison A materials, whereas Packing Group I materials (both liquids and gases) do.

Participation in International Standards-Setting Organizations

As discussed in the May 5 NPRM, the RSPA participates in the activities of a number of organizations which promulgate international standards involving the transportation of hazardous materials: the United Nations Committee of Experts on the Transport of Dangerous Goods, and its subsidiary bodies, the Group of Experts on Explosives and the Group of Rapporteurs; the International Maritime Organization; the Dangerous Goods Panel of the International Civil Aviation Organization; the Economic Commission for Europe Group of Experts on the Transport of Dangerous Goods; and, the International Atomic Energy Agency. In the past, RSPA has apprised the public of its involvement in international activities through periodic public meetings, announced in the **Federal Register**, in which RSPA representatives provide briefings on the international activities. In many instances, RSPA representatives are supported at international meetings by industry experts in specific areas such as explosives and organic peroxides, and work with representatives of the regulated industry in developing policies and proposals. Further, the Hazardous Materials Advisory Council (HMAC), a non-profit organization having membership from all segments of industry involved in hazardous materials transportation, holds formal observer status at U.N. meetings. HMAC has a special committee which devotes itself to international issues and RSPA has actively participated in its meetings. However, some members of the industry have commented that there is a need for more industry participation in the development of proposals by RSPA for presentation at the international meetings and in the evaluation of proposals developed by other participants in the international meetings. Comments addressed to this issue are requested. For example, when RSPA personnel participate in a HMAC meeting, it must be open to non-HMAC members during such participation. On that basis, is it necessary that RSPA resources be expended to establish a new forum for discussion of international issues?

II. Review by Sections

The following review by sections addresses only the corrections and supplements to the May 5 NPRM. For a comprehensive review by sections, interested persons should refer to the preamble of the May 5 NPRM (pages 52 FR 16491 through 16510).

Part 171; General Information, Regulations and Definitions.

Section 171.7. In § 171.7. the table of material incorporated by reference in paragraph (c) is revised to correct typographical errors in nine of the entries.

Section 171.8. In § 171.8, the definitions for "Composite packaging", "UN standard packaging", and "Water reactive material" are revised to correct typographical errors.

Section 171.11. In § 171.11, paragraph (c) is revised to require compliance with 49 CFR requirements, rather than the ICAO Technical Instructions, for materials which are toxic by inhalation.

Section 171.12. In § 171.12, paragraph (b) is revised to clarify application of provisions of the IMDG Code. Compliance with 49 CFR requirements, rather than the IMDG Code, would be required for materials which are toxic by inhalation. Acceptance of packagings conforming to the IMDG Code, rather than to specific 49 CFR packaging requirements, would be limited to non-bulk packagings only.

Part 172; Hazardous Materials Table, Special Provisions and Hazardous Materials Communications and Regulations.

Section 172.101. In the preamble to the § 172.101 Table, paragraph (b) is revised to remove the letter "E" as a symbol in Column 1 of the Table; paragraphs (b)(2) and (b)(6) are revised to include reference to hazardous substances and hazardous wastes, rather than to the "E" symbol; and subparagraph (b)(4) is removed. Subparagraph (c)(9) is revised to include reference to the Appendix to the § 172.101 Table which designates hazardous substances under CERCLA. Subparagraph (c)(10) is revised to implement provisions from the UN Recommendations for determining the proper shipping names for mixtures and solutions. Subparagraph (c)(12)(ii) is revised by adding the words "and packing group" after the words "hazard class" in the first sentence.

In the § 172.101 Table, changes are made to remove the "E" symbol, RQ designations, and obsolete shipping names for hazardous substances. As previously discussed, over 400 entries are revised to align the Table more closely with the UN Recommendations and the ICAO Technical Instructions, and to correct errors and omissions.

Section 172.102. In § 172.102, Special Provisions in subparagraphs (c)(1), (c)(2), (c)(3), (c)(5) and (e)(7)(ii) would be revised to correct errors and omissions and eliminate inconsistencies. Substantive changes include the addition of Special Provisions 12 and 13, for inhalation toxic materials, exclusion of multi-unit tank car tanks from Special Provision B14, concerning insulation of tanks, and revision of Special Provisions B30 through B32 to "grandfather" certain currently used tank cars for materials which meet Division 2.3 criteria. Special Provisions B42 through B53 are added to address discrepancies in the original proposal.

Section 172.313. In § 172.313, the word "outer" is added between the words "plastic" and "packaging" to clarify that requirements to mark "POISON" on plastic packagings do not apply to inner receptacles such as liners.

Section 172.330. In § 172.330, subparagraph (a)(2) is revised to clarify that shipping name markings on multi-unit tank car tanks need only be two inches high. Paragraph (f) would be removed to eliminate an obsolete labeling provision.

Section 172.400. In § 172.400, the table in paragraph (b) is changed to add the CLASS 9 label.

Section 172.400a. In § 172.400a, subparagraph (a)(8) would be added to read "A package containing Division 1.4, Compatibility Group S, material" to provide a labeling exception for Division 1.4S materials.

Section 172.402. Paragraph (a) of § 172.402 is revised to propose labeling for multiple hazards which is consistent with Chapter 13 of the UN Recommendations.

Section 172.446. A new § 172.446 is added to adopt a CLASS 9 label for miscellaneous hazardous materials, for consistency with the UN Recommendations.

Section 172.504. In § 172.504, paragraph (e), the entries for "Division 1.3" are moved from Table 2 to Table 1 to require placarding for any quantity of Division 1.3 materials, consistent with existing provisions for Class B explosives. It is proposed not to require placarding for Division 6.1, Packing Group III, materials; therefore, in Table 2 the placard name for "Division 6.1 (PGIII)" is changed from "KEEP AWAY FROM FOOD" to "(None)". The entry in Table 2 for Class 7 "Radioactive Yellow-III label" is removed, as these materials are subject to Table 1 placarding requirements. A new subparagraph (f)(6) would be added to § 172.504 to provide a placarding exception for Division 1.4S explosives.

Section 172.510. Paragraph (a) of § 172.510 is revised to require that placards be displayed on square backgrounds on rail cars transporting Explosives 1.1 and 1.2 materials and Packing Group I materials which are toxic by inhalation. The May 5 notice did not address Division 6.1 materials that are toxic by inhalation and required the square background for all packing groups of Division 2.3 materials.

Section 172.519. In § 172.519, subparagraph (a)(3) is amended to change "200 pounds" to read "175 pounds", and to add the phrase "(waterproofing materials included)" at the end of the paragraph, for consistency with changes promulgated under Docket HM–166U (52 FR 13034) on April 20, 1987.

Section 172.547. In § 172.547, paragraph (b) is revised to change the size of the letters in the word "SPONTANEOUSLY" from "33mm (1.3 inches)" to read "25.4mm (1.0 inches)" to eliminate a problem with regard to size of lettering on the SPONTANEOUSLY COMBUSTIBLE placard.

Section 172.553. § 172.553 is removed, since it is proposed not to prescribe a placard for Division 6.1, Packing Group III, materials.

Part 173; Shippers, General Requirements for Shipments and Packagings.

Section 173.2a. In § 173.2a, paragraph (c), the precedence of hazard table is amended to correct a typographical error (for row 3 I and column 8 I(1), the entry "8" is changed to "3"); for consistency with the UN Recommendations with regard to classifying pesticides which are both flammable and poisonous (a footnote is added to require that pesticides which meet both Class 3, Packing Group III, and Division 6.1, Packing Group III, be classed in Division 6.1); and to reflect new criteria in the UN Recommendations for assigning packing groups to Class 4 materials.

Section 173.12. In § 173.12, paragraph (c), on reuse of packagings for waste materials, is revised to clarify that the provisions of § 173.28 do not apply.

Section 173.24. In paragraph (b)(1), the phrase "Except as otherwise provided" is added to clarify that there are instances, such as when vented packages are authorized, when releases of hazardous materials to the environment are permitted.

Section 173.24a. In § 173.24a, subparagraph (c)(iii), the spelling of the word "receptacles" is corrected.

Section 173.24b. Paragraph (b)(3) is revised to require five percent outage only for Division 6.1, Packing Group I, liquids, rather than for all inhalation toxic liquids regardless of packing group. It is believed to be unnecessarily restrictive to require this amount of outage for Division 6.1, Packing Groups II and III, materials which are toxic by inhalation.

Paragraph (d) is added to prohibit the use of tank cars equipped with heating coils for Division 2.3 and Division 6.1, Packing Group I, materials toxic by inhalation, for safety reasons.

Section 173.27. In § 173.27, paragraph (a) would be revised by adding the phrase "containing Class 4, 5, or 8 materials" to eliminate a major difference between proposed provisions for air shipments and the ICAO Technical Instructions. Subparagraph (c)(3)(ii) is amended to change "178.504(a)(5)" to read "178.503(a)(5)".

Section 173.28. In § 173.28, subparagraph (a)(2) is revised to require that the leakproofness test for reuse of packagings be conducted using an internal air pressure of at least 7.0 pounds. This proposal addresses concerns expressed by members of industry concerning the inadequacy of test pressures in the UN Recommendations. RSPA believes that the increased test pressure may be necessary to detect leaks in used packagings which may contain residues of their previous contents. RSPA is not convinced that pressures higher than those proposed in § 178.604 are necessary for detecting leaks in new packagings and requests comments on this issue.

Section 173.31. In § 173.31, provisions for retest of tank cars currently contained in Footnote v of Retest Table 1 in paragraph (c) are relocated to subparagraph (a)(13). Paragraph (a)(12) is revised to require reclosing pressure relief devices on tank cars used for Class 2 gases and Classes 3, 4, and Division 6.1 liquids, with the exception of Packing Group III of Division 6.1.

Section 173.32. In § 173.32, in paragraph (s), " Kpa" is corrected to "kPa".

Section 173.115. In paragraph (c)(2), reference to LC50 criteria in § 173.132 is added.

Section 173.120. In paragraph (a)(1)(i), the section reference "§ 173.300" is corrected to read "§ 173.115".

Section 173.124. In paragraph (a), the definition for "flammable solid" is revised for consistency with the UN Recommendations. Paragraph (d) is added to recognize new criteria which will appear in Chapter 14 of the UN Recommendations for evaluating materials for inclusion in Class 4. These criteria are available from the RSPA upon request.

Section 173.125. This section is revised to recognize new criteria which will appear in Chapter 14 of the UN Recommendations for determining packing groups for Class 4 materials. These criteria are available from the RSPA upon request.

Section 173.128. Paragraph (c) is added to recognize new criteria, which will appear in Chapter 14 of the UN Recommendations, for evaluating materials for inclusion in Class 5. These criteria are available from the RSPA upon request.

Section 173.132. In Figure 1 of paragraph (a), the graph is revised editorially by changing the word "Class" to "Division" and by deleting the symbols which appear at the right extreme of the horizontal axis. In paragraph (a)(3)(ii), the first occurrence of the word "not" is in error and is removed. In paragraph (b)(3), reference is included to criteria in § 173.133(b) for LC_{50} determinations for mixtures and for limit tests.

Section 173.133. Paragraph (b) is added to provide alternatives to testing for inhalation toxicity for mixtures and solutions (subparagraph (b)(1)) and to provide simplified threshold toxicity tests (i.e., limit tests) when the LC_{50} of mixtures is to be determined through testing (subparagraph (b)(2)).

Section 173.137. This section is revised to correct the format and to clarify that the three packing groups for Class 8 are mutually exclusive.

Section 173.150. In § 173.150, in the first sentence in paragraph (b), "Class 8" is corrected to read "Class 3". In subparagraph (f)(3)(vii), "173.21," is inserted between "173.1," and "173.24". Also, paragraph (e) is revised to provide an exception from the regulations for aqueous solutions of alcohol containing at least 50 percent water, similar to the exception provided at present in § 173.115(b)(2)(ii). The exception was unintentionally omitted in the May 5 NPRM.

Section 173.154. Paragraph (d) is revised to provide an exception for materials which are corrosive only to steel, when transported in bulk packagings, similar to the exception provided at present in § 173.245(b). The exception was unintentionally omitted in the May 5 NPRM.

Section 173.158. In § 173.158, at the end of subparagraph (f)(2), the number "1" in front of paragraph (g) is removed and paragraph (g) is moved to the left margin, to correct a format error.

Section 173.159. In § 173.159, subparagraph (g)(1) is amended to change the word "nor" to read "with not" in the first sentence, to correct an editorial error.

Section 173.164. In § 173.164, subparagraph (a)(3) is amended to change the symbol for kilograms from "Kg" to "kg", in the last sentence. The introductory text of paragraph (a) is revised to clarify that the specified packaging, at the Packing Group I performance level, is only required for transportation by aircraft. Paragraph (c) is added to provide packagings, at the Packing Group III performance level, for transportation in other modes and paragraph (d) is added to provide an exception for quantities of mercury of less than one pound (i.e., less than a reportable quantity) when transported by motor vehicle or rail car.

Section 173.181. In § 173.181, subparagraph (c)(1) is revised to change the word "incombustible" to read "noncombustible".

Section 173.185. In § 173.185, subparagraph (i)(5) is amended to change the word "packagers" to read "packagings".

Section 173.186. In § 173.186, paragraph (c) is amended to change the word "matdrials" to read "materials", and, in paragraph (e) in the first sentence, the word "packag ings" is amended to read "packagings".

Section 173.192. In § 173.192, paragraph (a) is revised to authorize use of Specification 3D and 33 cylinders, as are currently authorized.

Section 173.195. In § 173.195, paragraph (a)(2) is revised to authorize use of Specification 3A480 cylinders and paragraph (b) is revised to permit use of alternate means of testing for leakage, other than with picrate paper, without the need for approval.

Section 173.196. In § 173.196, subparagraph (c)(2)(ii) is amended to change the word "packagings(s)" to read "packagings", in the second and third sentences.

Section 173.213. In § 173.213, paragraph (b) is amended to change the identification code for a plastic jerrican from "3112" to "3H2".

Section 173.216. In § 173.216, subparagraph (d)(2) is amended to change the word "cosignor" to read "consignor".

Section 173.225. The Organic Peroxides Table in paragraph (b)(4) is updated to include organic peroxides with identification numbers UN3058 through UN3081.

Section 173.226. In § 173.226, subparagraph (c)(2) is amended to change the phrase "back-off of" to read "back-off or", in the fourth sentence.

Section 173.227. In § 173.227, subparagraph (b)(3)(ii) is amended to change the phrase "drum is" to read "drum is—", at the end of the sentence.

Section 173.228. In § 173.228, paragraph (a) is amended to change the section citation "§ 172:101" to read "§ 172.101", in the first sentence.

Section 173.230. In § 173.230, paragraph (a) is amended to change the section cite "§ 473.306" to read "§ 173.306".

Subpart F of Part 173. In Subpart F of Part 173, the term "tank cars" is revised to read "tank car tanks" wherever it appears, and the term "110 tank car tanks" is revised to read "110 multi-unit tank car tanks" wherever it appears, in order to use more precise terminology.

Section 173.240. In § 173.240, paragraph (c) is revised to change the section title from "*Portable tanks and bins*" to read "*Portable tanks, bins and other bulk packagings.*" and to authorize non-specification bulk packagings other than portable tanks and bins, such as flexible bulk containers.

Section 173.241. In § 173.241, paragraph (c) is amended by deleting the word "metal", in order to allow use of non-metallic (e.g., polyethylene) portable tanks for certain low hazard materials, and by adding a sentence to the paragraph to specify valves and minimum design pressures for DOT 57 portable tanks used for the transport by water of Class 3, Packing Group II, materials, consistent with existing provisions for water transport.

Section 173.242. In paragraph (a), AAR 206W and 211W tank cars are removed from the list of authorized tank cars, to correct an error. In paragraph (c), a sentence is added to specify valves and minimum design pressures for DOT 57 portable tanks used for the transport by water of Class 3, Packing Group II, materials, consistent with existing provisions.

Section 173.245. Upon further consideration by the RSPA and FRA, paragraph (a) is revised to remove the authorization for use of DOT 105S500W and 112S500W tank cars for Division 2.3 gases and to add authorization to use DOT 112T500 tank cars. Also, a requirement is added that tank car appurtenances, dome fittings, safety devices, loading and handling procedures, etc., be approved. This is similar to existing approval provisions for Poison A materials.

Section 173.248. In § 173.248, paragraph (a) and the introductory text preceding it are revised to authorize certain tank cars that are currently authorized for ethylene oxide. Paragraph (b) is removed and reserved to remove authorizations for use of cargo tanks. These changes are based on further consideration by the RSPA and FRA.

Section 173.306. In paragraph (h)(1) the spelling of the word "COMPLY" is corrected.

Section 173.314. This section is substantially revised to implement bulk packaging provisions for tank cars consistent with proposed packaging provisions in other sections. Paragraph (a) is revised to correct an erroneous section reference. Paragraph (b) is revised to require all single unit tank cars carrying flammable or poisonous gases or hydrogen fluoride to be marked with the name of contents. Paragraph (c) is revised to correct section references for preparing compressed gases for shipment. The table in paragraph (c) is revised to include requirements for head protection, thermal protection, and larger safety valves for certain materials; to remove from the table those commodities that do not have specific outage or tank test pressure requirements, to remove notes rendered obsolete by other proposed changes, and to revise certain notes. Paragraphs (d) and (f) are removed since those provisions would be contained in §§ 173.24b and 173.31. New paragraph (i) is added to incorporate the provisions of § 179.102–11(a).

Section 173.322. Paragraph (d) is added to authorize specification cylinders as a packaging for ethyl chloride.

Section 173.323. In § 173.323, subparagraphs (b)(1), in the first sentence, and (b)(2), in the second sentence, are revised to change the word "incombustible" to read "noncombustible".

Part 178; Specifications For Packagings.

Section 178.0–3. In § 178.0–3, subparagraph (a)(3) is amended to change the word "permancy" to read "permanency".

Section 178.502. In § 178.502, subparagraph (a)(1)(ii) is amended to change the word "barrell" to read "barrel".

Section 178.503. In § 178.503, in subparagraph (d)(1) the UN symbol which was missing from the May 5 NPRM is added; also, in subparagraphs (d)(2)(i) and (d)(2)(ii) the examples of markings are revised for clarity.

Section 178.516. In § 178.516, paragraph (b)(3) is revised for clarity.

Section 178.521. In § 178.521 subparagraph (b)(2) is amended to change the words "waterresistant" to read "water resistant", in the first sentence.

Section 178.523. In § 178.523, subparagraph (b)(2)(x) is amended to change the words "highdensity" to read "high density", in the second sentence.

Section 178.601. In § 178.601, a sentence would be added between the second and third sentences in paragraph (c) to clarify that the chemical compatibility test for plastic packagings need not be repeated during periodic retesting. In the second sentence, the word "compatibility" is corrected.

Section 178.602. In § 178.602, paragraph (g) is revised to clarify that the chemical compatibility test for plastic packagings need not be repeated during periodic retesting.

Section 178.608. § 178.608 is revised for clarity. As proposed, each hazardous material for which a packaging is intended for use would have to be compatibility tested in that package. In those instances where packages are intended for use for many products, this may impose an onerous burden on the packaging manufacturer. Comments are requested with regard to alternatives to testing each hazardous material for which a packaging is intended for use.

Part 179; Specifications for Tank Cars.

Section 179.101–1. The section reference, "§ 179.100–18" is corrected to read "§ 179.100–4".

Section 179.102. The proposal to remove this section in its entirety is withdrawn in order to retain some of the commodity specific requirements which appear in the section.

Section 179.105. In paragraph (c), "ethylene oxide" is changed to "a Division 2.3 material" to provide the option, for poisonous gases, of using increased insulation in conjunction with smaller valves.

III. Administrative Notices

Executive Order 12291

The effect of this rule, as proposed, does not meet criteria specified in section 1(b) of Executive Order 12291 and is, therefore, not a major rule, but is a significant rule under the regulatory procedures of the Department of Transportation (44 FR 11034). This proposed rule does not require a Regulatory Impact Analysis, or an environmental impact statement under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*). A regulatory evaluation and flexibility analysis is available for review in the Docket.

Impact on Small Entities

Based on limited information concerning size and nature of entities likely affected by this proposed rule, I certify this proposal will not, if promulgated, have a significant economic impact on a substantial

number of small entities. This certification is subject to modification as a result of a review of comments received in response to this proposal. A preliminary regulatory flexibility analysis is available for review in the docket.

Paperwork Reduction Act

Information collection requirements contained in this proposal are being submitted for approval to the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511).

List of Subjects

49 CFR Part 171

Hazardous material transportation, Definitions.

49 CFR Part 172

Hazardous materials transportation, Markings, Labels, Placards, Packaging.

49 CFR Part 173

Hazardous materials transportation, Packaging.

49 CFR Part 174

Hazardous materials transportation, Rail carriers.

49 CFR Part 175

Hazardous materials transportation, Air carriers.

49 CFR Part 176

Hazardous materials transportation, Maritime carriers.

49 CFR Part 177

Hazardous materials transportation, Motor carriers.

49 CFR Part 178

Hazardous materials transportation, Packaging specifications and standards.

49 CFR Part 179

Hazardous materials transportation, Tank cars.

In consideration of the foregoing, 49 CFR Parts 171 through 179 would be amended as follows:

PART 171—GENERAL INFORMATION REGULATIONS AND DEFINITIONS

1. The authority citation for Part 171 would continue to read as follows:

Authority: 49 U.S.C. 1803, 1804, 1805, 1808; 49 CFR Part 1.

§ 171.3 [Amended]

1a. In § 171.3, paragraph (e) preceding Note 1 would be removed.

2. In § 171.7, paragraph (d) would be removed and paragraph (c) would be revised to read as follows:

§ 171.7 Matter incorporated by reference.

* * * * *

(c) *Table of material incorporated by reference.* The following Table sets forth material incorporated by reference. It gives the name and address of the organization from which the material is available, the name of the material, and the section(s) of this subchapter, other than § 171.7, in which the matter is referenced.

Source and name of material	49 CFR reference
The Aluminum Association, 420 Lexington Avenue, New York, NY 10017:	
Aluminum Standards and Data, 1970-71, December 1969	178.65-5.
Aluminum Standards and Data, Sixth Edition, 1979	
Aluminum Standards and Data, Seventh Edition, June 1982	
American National Standards Institute, Inc., 1430 Broadway, New York, NY 10018:	
ANSI B9.1-64, Safety Code for Mechanical Refrigeration, 1964 Edition	173.306.
ANSI B 16.5-77 Steel Pipe Flanges, Flanged Fittings	178.34.
ANSI N14.1-71 Packaging of Uranium Hexafluoride for Transport, 1982 Edition	173.417.
American Society of Mechanical Engineers, United Engineering Center, 354 47th Street, New York, NY 10017:	
ASME Code, Section VIII (Division 1) and IX of1977 Edition of American Society of Mechanical Engineers Boiler and Pressure Code Addenda through December 31, 1979.	173.32; 173.33; 173.306; 173.315; 177.814; 178.245; 178.251; 178.255; 178.337; 178.338; 178.340; 178.342; 178.343; 179.400.
ASME Code, Section V (FR Nonedestructive Examination, 1977	173.33.
ASME Code, Section IX (FR Welding and Brazing Qualification 77 and Addendum 79)	178.245; 178.340; 178.270; 178.337; 178.338.
American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103:	
Noncurrent ASTM Standards are available from: Engineering Societies Library, 354 E. 47th Street, New York, NY 10017.	
ASTM A 20-81 Standard Specification for General Requirements for Steel Plates for Pressure Vessels, Revision C, 1982.	178.337.
ASTM A 47-68 Malleable Iron Castings	179.200.
ASTM A 53-69a Welded and Seamless Steel Pipe	179.12-2.
ASTM A 178-70 Electric Resistance Welded Carbon Steel Boiler Tubes	179.12.
ASTM A 192-69 Seamless Carbon Steel Boiler Tubes for High Pressure Service	179.12.
ASTM A 211-75 Standard Specification for Spiral-Welded Steel or Iron Pipe App.B	192.113; Part 192; 195.106.
ASTM A 240-82 Standard Specification for Heat-Resisting Chromium and Chromium-Nickel Stainless Steel Plate, Sheet and Strip for Fusion-Welded Unfired Pressure Vessels, Revision A.	173.57; 179.100; 179.200; 179.201; 179.220; 179.400.
ASTM A 242-81 Standard Specification for High-Strength Low-Alloy Structural Steel, 1982	179.100.
ASTM A 262-68 Recommended Practices for Detecting Susceptibility to Intergranular Attack in Stainless Steels.	179.200.
ASTM A 269-69 Seamless and Welded Austenitic Stainless Steel Tubing for General Service	179.12.
ASTM A 285-78 Pressure Vessel Plates, Carbon Steel, Low and Intermediate-Tensile Strength	179.100; 179.200; 179.220; 179.300.
ASTM A 300-58 Steel Plates for Pressure Vessels for Service at Low Temperatures	178.337.
ASTM A 300-68 Notch Toughness Requirements for Normalized Steel Pressure Plates for Pressure Vessels.	179.102.
ASTM A 302-78 Pressure Vessel Plates, Alloy Steel, Manganese-Molybdenum and Manganese-Molybendum Nickel.	179.100; 179.200; 179.220.
ASTM A 312-70a Seamless and Welded Austenitic Stainless Steel Pipe	179.12.

Source and name of material	49 CFR reference
ASTM A 333–67 Seamless and Welded Steel Pipe for Low-Temperature Service	178.45.
ASTM A 370–77 Standard Methods and Definition for Mechanical Testing of Steel Products, 1982	179.102.
ASTM A 388–67 Ultrasonic Testing and Inspection of Heavy Steel Forging	178.45.
ASTM A 441–81 Standard Specification for High-Strength Low-Alloy Structural Manganese Vanadium Steel.	178.338.
ASTM A 514–81 Standard Specification for High-Yield Strength Quenched and Tempered Alloy Steel Plate, Suitable for Welding.	178.338.
ASTM A 515–69 Carbon Steel Plates for Pressure Vessels for Intermediate and Higher Temperature Service.	179.100; 179.200; 179.220; 179.300.
ASTM A 516–79b Standard Specification for Pressure Vessel Plates, Carbon Steel, for Moderate and Lower-Temperature Service, 1982 Edition.	178.337; 179.100; 179.102; 179.200; 179.220.
ASTM A 537–80 Standard Specification for Pressure Vessel Plates, Heat-Treated, Carbon-Manganese-Silicon Steel, 1982 Edition.	179.100.
ASTM A 572–82 Standard Specification for High-Strength Low-Alloy Columbium-Vanadium Steels of Structural Quality, 1982 Edition.	178.338; 179.100.
ASTM A 588–81 Standard Specification for High-Strength Low-Alloy Structural Steel with 50 Ksi Minimum Yield Point to 4 in. Thick.	179.100; 178.338.
ASTM A 606–75 Standard Specification for Steel Sheet and Strip Hot-Rolled and Cold-Rolled, High-Strength, Low-Alloy, with Improved Atmospheric Corrosion Resistance, 1975 (Reapproved 1981).	178.338.
ASTM A 612–7a High Strength Steel Plates for Pressure Vessels for Moderate and Lower-Temperature Service.	178.337.
ASTM A 633–79a Standard Specification for Normalized High-Strength Low-Alloy Structural Steel, 1979 Edition.	178.338.
ASTM A 715–81 Standard Specification for Steel Sheet and Strip, Hot-Rolled, High-Strength, Low-Alloy, with Improved Formability, 1981.	178.338.
ASTM B 90–69 Magnesium Alloy Sheet and Plate	178.251.
ASTM B 161–70 Nickel Seamless Pipe and Tube, 1970	179.12.
ASTM B 162–69 Nickel Plate, Sheet, and Strip	179.200.
ASTM B 209–69 Aluminum Alloy Sheet and Plate	178.340; 179.100; 179.200; 179.220.
ASTM B 210–70 Aluminum Alloy Drawn Stainless Tables (FR B210–68(78))	179.12.
ASTM B 221–76 Aluminum Alloy Extruded Bars, Rods, Shapes and Tubes	179.12.
ASTM B 241–69 Standard Specification for Aluminum-Alloy Seamless Pipe and Seamless Extruded Tube.	179.12.
ASTM B 557–81 Tension Testing Wrought and Cast Aluminum and Magnesium-Alloy Products, 1979	178.251.
ASTM B 580–79 Standard Specification for Anodic Oxide Coatings on Aluminum, 1979	173.316; 173.318.
ASTM C 148–77 Standard Methods of Polariscopic examination of Glass Containers, 1977	178.17.
ASTM D 56–79 Standard Method of Test for Flash Point by Tag Closed Tester	173.120.
ASTM D 88–56 (Reapproved 80) Standard Method for Test of Saybolt Viscosity	173.120.
ASTM D 93–80 Standard Method of Test for Flash Point by Pensky Martens Closed Tester	173.120.
ASTM D 323–58, 68 Vapor Pressure of Petroleum Products (Reid Methods)	173.119; 173.300.
ASTM D 1838–64 Copper Strip Corrosion by Liquefied Petroleum (LP) Gases	173.315.
ASTM D 2161–79 Conversion of Kinematic Viscosity to Saybolt Universal Viscosity or to Saybolt Furol Viscosity.	173.120.
ASTM D 3243–73T Flash Point of Aviation Turbine Fuels by Setaflash Closed Tester	173.120.
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AAR Catalog Nos. SE67BTH; SE67BTHE; SE68BTH; SE68BTHE; SF79CHT; SF79CHTE	179.14.
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Impact Apparatus (Test), January 24, 1961	173.53; 173.64; 173.65; 173.114.
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Pamphlet 6C, Illustrating Methods for Loading and Bracing Trailers and Less-Than Trailer Shipments of Explosives and Other Dangerous Articles Via Trailer-on-Flatcar(TOFC) or Container-on-Flatcar (COFC), September 1968.	174.55; 174.63; 174.101; 174.112; 174.115.
Pamphlets 1 & 2, Emergency Handling of Hazardous Materials in Surface Transportation; June 1973	177.861.
Canadian Transport Commission, 275 Slater Street, Ottawa, Ontario K1A 0N9: Canadian Transport Commission Regulations; 1974	171.12a; 172.401; 172.502; 174.11.
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Type 1/½ JQ 225, Dwg. H5-1970, October 7, 1968; or Type 1½ JQ 225, Dwg. H50155, Revision A, April 28, 1969.	173.315.
Standards for Angle Valves, and Dwg. 104-4, May 5, 1958 or Dwg. 104-5, September 1, 1972	173.33.
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Standards for Housing and Manway covers for Steel Cargo Tanks Manufactured on or before December 31, 1974, Dwg. 177-1, November 7, 1962 or Dwg. 173-2, September 11, 1971; Tanks manufactured after January 1, 1975, Dwg. 137-2, (9/1/71).	173.337.
Compressed Gas Association, Inc., 1235 Jefferson Davis Highway, Arlington, VA 22202:	
CGA Pamphlet C-3, Standards for Welding and Brazing on Thin Walled Containers, 1975	178.47; 178.51; 178.54; 178.56; 178.57; 178.58; 178.60; 178.61; 178.68.
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CGA Pamphlet C-8, Standard for Requalification of DOT-3HT Cylinder Design, 1979	173.34.
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CGA Pamphlet G-4.1, Cleaning Equipment for Oxygen Service, 1977	178.338.
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International Civil Aviation Organization (ICAO), P.O. Box 400, Place de l'Aviation Internationale, 1000 Sherbrooke Street West, Montreal, Quebec, Canada H3A 2R2:	
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International Maritime Organization (IMO), 4 Albert Embankment, London, SE17SR, United Kingdom or New York Nautical Instrument & Service Corporation, 140 W. Broadway, New York, NY 10013:	
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International Organization for Standardization, Case Postale 56, CH–1211, Geneve 20, Switzerland: Also available from: ANSI, 1430 Broadway, New York, NY 10018:	
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Uniform Freight Classification (UFC), Rule 40, Section 5	173.620.
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United Nations, United Nations Sales Section, New York, NY 10017: UN Recommendations for the Transport of Dangerous Goods, Fourth Revised Edition (1986)	172.401; 172.407; 172.519.

* * * * *

3. In § 171.8, the following definitions and abbreviations would be added, revised, or deleted, as indicated, in appropriate alphabetical order:

§ 171.8 Definitions and abbreviations.

Add:

"Bag" means a flexible packaging made of paper, plastic film, textiles, woven material or other similar materials.

"Box" means a packaging with complete rectangular or polygonal faces, made of metal, wood, plywood, reconstituted wood, fiberboard, plastic, or other suitable material.

"Bulk packaging" means a packaging, including a transport vehicle—

(1) Having an internal volume greater than 450 liters (118.9 gallons) as a receptacle for a liquid,

(2) Having a capacity greater than 400 kilograms (881.8 pounds) as a receptacle for a solid, or

(3) Having a water capacity greater than 453.6 kilograms (1,000.0 pounds) as a receptacle for a gas.

"Class" means hazard class. See "hazard class".

"Class 1" See § 173.50.
"Class 2" See § 173.115.
"Class 3" See § 173.120.
"Class 4" See § 173.124.
"Class 5" See § 173.128.
"Class 6" See § 173.132.
"Class 7" See § 173.403.
"Class 8" See § 173.136.
"Class 9" See § 173.140.

"Closure" means a device which closes an opening in a receptacle.

"Combination packaging" means a combination of packagings consisting of one or more inner packagings secured in a non-bulk outer packaging. It does not include a composite packaging.

"Composite packaging" means a packaging consisting of an outer packaging and an inner receptacle, so constructed that the inner receptacle and the outer packaging form an integral packaging. Once assembled it remains thereafter an integrated single unit; it is filled, stored, shipped and emptied as such.

"Crate" means an outer packaging with incomplete surfaces.

"Domestic transportation" means transportation between places within the United States other than through a foreign country.

"Dangerous when wet material" See § 173.124.

"Division" means a subdivision of a hazard class.

"Drum" means a flat-ended or convex-ended cylindrical packaging made of metal, fiberboard, plastic, plywood, or other suitable materials. This definition also includes packagings of other shapes made of metal or plastic (e.g., round taper-necked packagings or pail-shaped packagings) but does not include cylinders, jerricans, wooden barrels or bulk packagings.

"Hazard class" means the category of hazard assigned to a hazardous material under the defining criteria of Part 173 of this subchapter and the provisions of the § 172.101 Table.

"Infectious substance" See § 173.134.

"Inner packaging" means a receptacle which requires an outer packaging in order to perform its containment function.

"Inner receptacle" means a receptacle which requires an outer packaging in order to perform its containment function.

"International transportation" means transportation —

(1) Between any place in the United States and any place in a foreign country;

(2) Between places in the United States through a foreign country; or

(3) Between places in one or more foreign countries through the United States.

"Jerrican" means a metal or plastic packaging of rectangular or polygonal cross-section.

"kg" means kilogram.

"kPa" means kilopascal.

"L" means liter.

"Manufacturer" means a person who applies to a packaging a DOT specification marking or a United Nations mark (see § 178.503).

"Maximum capacity" means the maximum inner volume of receptacles or packagings.

"Maximum net mass" means the maximum net mass of contents in a single packaging or, as used in Subpart M of Part 178, the maximum combined mass of inner packagings and the contents thereof.

"mL" means milliliter.

"Non-bulk packaging" means a packaging—

(1) Having an internal volume of 450 liters (118.9 gallons) or less as a receptacle for a liquid,

(2) Having a capacity of 400 kilograms (881.8 pounds) or less as a receptacle for a solid, or

(3) Having a water capacity of 453.6 kilograms (1000.0 pounds) or less as a receptacle for a gas.

"n.o.s. entry" means a shipping description from the § 172.101 Table which includes the abbreviation "n.o.s."

"Outer packaging" means the outermost enclosure of a composite or combination packaging together with any absorbent materials, cushioning and any other components necessary to contain and protect inner receptacles or inner packagings.

"Pa" means pascal.

"Packing group" means a grouping according to the degree of danger presented by hazardous materials. Packing Group I indicates great danger; Packing Group II, medium danger; Packing Group III, minor danger. See § 172.101(f).

"Poisonous materials" See § 173.132.

"Primary hazard" means the hazard class of a material, as assigned in the § 172.101 Table.

"Receptacle" means a containment vessel for receiving and holding materials, including any means of closing.

"Specification packaging" means a packaging conforming to one of the specifications or standards for packagings in Part 178 or Part 179 of this subchapter.

"Strong outer (or outside) packaging" means a packaging which meets or exceeds the performance requirements of § 173.24 of this subchapter applicable to non-specification packagings, either as a single packaging or as the outer packaging of a combination packaging.

"Subsidiary hazard" means a hazard of a material other than the primary hazard. See "primary hazard".

"Table in § 172.101" or "§ 172.101 Table" means the Hazardous Materials Table in § 172.101 of this subchapter.

"UN" means United Nations.

"UN standard packaging" means a specification packaging conforming to the requirements in Subparts L and M of Part 178.

"Wooden barrel" means a packaging made of natural wood, of round cross-section, having convex walls, consisting of staves and heads and fitted with hoops.

(Revise:)

"Bottle" means a receptacle having a neck of relatively smaller cross section than the body and an opening capable of holding a closure for retention of the contents.

"Cargo aircraft only" means an aircraft that is used to transport cargo and is not engaged in carrying passengers. For purposes of this subchapter, the terms "cargo aircraft only", "cargo-only aircraft" and "cargo aircraft" have the same meaning.

"Combustible liquid" See § 173.120.

"Compressed gas" See § 173.115.

"Corrosive material" See § 173.136.

"Etiologic agent" See § 173.134.

"Flammable gas" See § 173.115

"Flammable liquid" See § 173.120.

"Flammable solid" See § 173.124.

"Flash point" means the minimum temperature at which a substance gives off flammable vapors which, in contact with sparks or flame, will ignite. (For criteria, see § 173.121.)

"Gross weight" or "Gross mass" means the weight of a packaging plus the weight of its contents.

"Limited quantity" when specified as such in a section applicable to a particular material, means the maximum amount of a hazardous material for which there is a specific labeling and packaging exception.

"Magnetic material" See § 173.21(d).

"Marking" means descriptive name, identification number, instructions, cautions, weight, specification, or UN marks, or combinations thereof, required by this subchapter on outer packagings of hazardous materials.

"Name of contents" means the proper shipping name as specified in § 172.101.

"Net weight", "Net mass", or "Net quantity" means the mass or volume of hazardous material contained in a package, excluding the weight or volume of any packaging material, except in the case of explosive devices where the net weight is the weight of the finished device excluding packagings. See also "maximum net mass".

"Organic peroxide" See § 173.128.

"ORM" means other regulated material. See § 173.144.

"Oxidizer" See § 173.128.

"Package" means the complete product of the packing operation, consisting of the packaging and its contents as prepared for transport. For radioactive materials, see § 173.403 of this subchapter.

"Packaging" means a receptacle and any other components or materials necessary for the receptacle to perform its containment function and to ensure compliance with the minimum packing requirements of this subchapter. For radioactive materials, see § 173.403 of this subchapter.

"Pyrophoric liquid" See § 173.124(b).

"Spontaneously combustible material" See § 173.124(b).

"Water reactive material" see "Dangerous when wet material, § 173.124(c)."

Remove:

NRC
Outside container
Poison A
Poison B
Pyrophoric solid
STC

4. The title and text of § 171.10 would be revised to read as follows:

§ 171.10 Hazardous materials in bulk on board vessels or barges.

Except for transportation in bulk packagings (as defined in § 171.8 of this part), the requirements of this subchapter do not apply to the bulk carriage of hazardous materials by vessel or barge. See 46 CFR Subchapters D, I, O and N for requirements applicable to bulk carriage by vessel or barge.

§ 171.11 [Amended]

5. In § 171.11, paragraphs (d)(4)(i) and (d)(4)(ii) would be removed, paragraphs (d)(4)(iii) and (d)(4)(iv) would be redesignated as (d)(4)(i) and (d)(4)(ii), respectively, and paragraph (c) would be revised to read as follows:

§ 171.11 Use of ICAO Technical Instructions.

* * * * *

(c) Is not a forbidden material or package according to § 173.21 or Column 3 of the § 172.101 Table and does not meet the definition for Division 2.3 (§ 173.115(c) of this subchapter) or Division 6.1, Packing Group I, for inhalation toxicity (§§ 173.132(a)(3) and 173.133(a) of this subchapter).

* * * * *

6. In § 171.12, paragraphs (c), (d) and (f) would be removed, paragraph (e) would be redesignated as paragraph (c) and paragraph (b) would be revised to read as follows:

§ 171.12 Import and export shipments.

* * * * *

(b) *IMDG Code.* The IMDG Code sets forth descriptions, classifications, packagings, labeling and vessel stowage requirements. Notwithstanding the provisions of this subchapter, a material which is packaged, marked, classed, labeled, placarded, described, stowed and segregated in accordance with the IMDG Code, and otherwise conforms to the requirements of this section, may be offered and accepted for transportation and transported within the United States. The following conditions and limitations apply:

(1) The provisions of this paragraph apply only to materials in international transportation or in domestic transportation, a portion of which involves transportation by vessel.

(2) Bulk packagings must conform to the requirements of this subchapter.

(3) A material may not be transported under the provisions of this paragraph if it is—

(i) A forbidden material or package according to § 173.21 or Column 3 of the § 172.101 Table;

(ii) A Class 1 explosive other than Division 1.4;

(iii) A Division 2.3 material or Division 6.1, Packing Group 1, inhalation toxic material;

(iv) A Class 7 material.

(4) The provisions of this paragraph do not apply to materials designated as hazardous materials under this subchapter that are not subject to the requirements of the IMDG Code.

(5) A number of materials listed in the IMDG Code may not be subject to the requirements of this subchapter. The provisions of this subchapter do not apply to materials listed in the IMDG Code which are not designated as hazardous materials under this subchapter.

(6) When a hazardous material is also a hazardous waste as defined in this subchapter—

(i) The word "Waste" must precede the proper shipping name on shipping papers and packages; and

(ii) The requirements of § 172.205 with respect to hazardous waste manifests are applicable.

(7) When a hazardous material is also a hazardous substance as defined in this subchapter, the requirements of §§ 172.203(c) and 172.324 are applicable.

(8) When a hazardous material is poisonous, the requirements of § 172.203(k) are applicable.

* * * * *

§ 171.12a [Amended]

7. Section 171.12a would be amended as follows:

a. In paragraph (a) introductory text, the reference to "paragraph (b)" is changed to "paragraphs (b) and (g)";

b. In paragraph (d), the introductory phrase preceding the word "specification" is changed to read "Except as specified in paragraph (g) of this section and § 173.301(i) of this subchapter,"

c. In paragraph (e) the reference to "paragraph a" is changed to read "paragraphs (a) and (g)".

8. In § 171.12a, the introductory text of paragraph (b)(2) would be revised and paragraph (g) would be added, as follows:

§ 171.12a Canadian shipments and packagings.

* * * * *

(b) * * *

(2) A material or article meeting the definition for Class 1 (explosives) according to this subchapter, except that, notwithstanding the requirements of Part 172 of this subchapter—

* * * * *

(g) Tank cars used under the provisions of this section must conform to the following requirements:

(1) Each class CTC–105, 112, and 114 tank car shall be equipped with a coupler vertical restraint system in accordance with § 179.14 of this subchapter.

(2) After December 31, 1987, each tank car which does not conform to a DOT specification shall be equipped with a coupler vertical restraint system in accordance with § 179.14 of this subchapter.

§ 171.14 [Removed]

9. Section 171.14 would be removed.

PART 172—HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS

10. The authority citation for Part 172 would continue to read as follows:

Authority: 49 U.S.C. 1803, 1804, 1805, 1808; 49 CFR Part 1, unless otherwise noted.

11. In Part 172, §§ 172.101 and 172.102 would be revised as follows:

Subpart B—Table of Hazardous Materials and Special Provisions

§ 172.101 Purpose and use of hazardous materials table.

(a) The Hazardous Materials Table (Table) in this section designates the materials listed therein as hazardous materials for the purpose of transportation of those materials. For each listed material, the Table identifies the hazard class or specifies that the material is forbidden in transportation, and gives the proper shipping name or directs the user to the preferred proper shipping name. In addition, the Table specifies or references requirements in this subchapter pertaining to labeling, packaging, quantity limits aboard aircraft and stowage of hazardous materials aboard vessels.

(b) *Column 1: Symbols.* Column 1 of the Table contains five symbols ("+","A","D","I", and "W"), as follows:

(1) The plus (+) fixes the proper shipping name and the hazard class for that entry without regard to whether the material meets the definition of that class. An alternate proper shipping name and hazard class may be authorized by the Director, OHMT.

(2) The letter "A" restricts the application of requirements of this

subchapter to materials offered or intended for transportation by aircraft, unless the material is a hazardous substance or a hazardous waste.

(3) The letter "D" identifies proper shipping names which are appropriate for describing materials for domestic transportation but may be inappropriate for international transportation under the provisions of international regulations (e.g., IMO, ICAO). Except for hazardous substances or hazardous wastes classed as ORM–E materials, an alternate proper shipping name may be selected when international transportation is involved.

(4) [Reserved]

(5) The letter "I" identifies proper shipping names which are appropriate for describing materials in international transportation. An alternate proper shipping name may be selected when only domestic transportation is involved.

(6) The letter "W" restricts the application of requirements of this subchapter to materials offered or intended for transportation by vessel, unless the material is a hazardous substance or a hazardous waste.

(c) *Column 2: Hazardous materials descriptions and proper shipping names.* Column 2 lists the hazardous materials descriptions and proper shipping names of materials designated as hazardous materials. Modification of a proper shipping name may otherwise be required or authorized by this section. Proper shipping names are limited to those shown in Roman type (not italics).

(1) Proper shipping names may be used in the singular or plural and in either capital or lower case letters.

(2) Punctuation marks and words in italics are not part of the proper shipping name but may be used in addition to the proper shipping name. The word "or" in italics indicates that any terms in the sequence may be used as the proper shipping name as appropriate.

(3) The abbreviation "n.o.i." or "n.o.i.b.n." may be used interchangeably with "n.o.s.".

(4) Except for hazardous wastes, when qualifying words are used as part of the proper shipping name, their sequence in the package markings and shipping paper description is optional. However, the entry in the Table reflects the preferred sequence.

(5) Except for a material classed as an organic peroxide, when one entry references another entry by use of the word "*see*", if both names are in roman type, either name may be used as the proper shipping name (e.g., Ethyl alcohol. *See* Ethanol). However, the referenced entry is preferred. For a material classed as an organic peroxide, the technical name shall be used as the proper shipping name. An organic peroxide formulation that is not listed by its technical name, shall be described as "organic peroxide, mixture", "Organic peroxide, sample, n.o.s.", or "organic peroxide, trial quantities, n.o.s.", as appropriate.

(6) When a proper shipping name includes a concentration range as part of the shipping description, the actual concentration, if it is within the range stated, may be used in place of the concentration range. For example, an aqueous solution of hydrogen peroxide containing 30 percent peroxide may be described as "Hydrogen peroxide, aqueous solution *with not less than 20 percent but not more than 40 percent hydrogen peroxide*" or "Hydrogen peroxide, aqueous solution *with 30 percent hydrogen peroxide*".

(7) Use of the prefix "mono" is optional in any shipping name when appropriate. Thus, Iodine monochloride may be used interchangeably with Iodine chloride. In "Glycerol alpha-monochlorohydrin" the term "mono" is considered a prefix to the term "chlorohydrin" and may be deleted.

(8) *Hazardous substances.* The Appendix to this section lists materials which are listed or designated as hazardous substances under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Proper shipping names for hazardous substances (see the appendix to this section and § 171.8 of this subchapter) shall be determined as follows:

(i) If the hazardous substance appears in the Table by technical name, then the technical name is the proper shipping name.

(ii) If the hazardous substance does not appear in the Table and is not a forbidden material, then an appropriate generic shipping name shall be selected corresponding to the hazard class of the material as determined by the defining criteria of this subchapter (see §§ 173.2 and 173.2a of this subchapter). For example, a hazardous substance which is listed in the appendix but not in the Table and which meets the definition of a flammable liquid might be described as "Flammable liquid, n.o.s." or other appropriate shipping name corresponding to the flammable liquid hazard class.

(9) If the word "waste" is not included in the hazardous material description in Column 2 of the table, the proper shipping name for a hazardous waste (as defined in § 171.8 of this subchapter shall include the word "Waste" preceding the proper shipping name of the material. For example: Waste acetone.

(10) *Mixtures and solutions.* (i) A mixture or solution comprised of a hazardous material identified in the Table by technical name and non-hazardous material shall be described using the proper shipping name of the hazardous material and the qualifying word "mixture" or "solution", as appropriate, unless—

(A) The packaging specified in Column 8 is inappropriate to the physical state of the material;

(B) The shipping description indicates that the proper shipping name applies only to the pure or technically pure hazardous material;

(C) The hazard class or packing group of the mixture or solution is different from that specified for the entry; or

(D) There is a significant change in the measures to be taken in emergencies.

(ii) If one or more of the conditions specified in paragraphs (i)(A), (i)(B), (i)(C), and (i)(D) of paragraph (c)(10) of this section are satisfied, then a proper shipping name shall be selected as prescribed in paragraph (c)(12)(ii) of this section.

(11) Except for a material subject to or prohibited by § 173.21, 173.51, 173.86(d), 173.86(e)(1) or 173.114a(g)(2) of this subchapter, a material for which the hazard class is uncertain and must be determined by testing or a material that is a hazardous waste may be assigned a tentative shipping name, hazard class and identification number, based on the shipper's tentative determination according to—

(i) Defining criteria in this subchapter;

(ii) The hazard precedence prescribed in § 173.2a of this subchapter; and

(iii) The shipper's knowledge of the material.

(12) Except when the proper shipping name in the Table is preceded by a plus (+)—

(i) If it is specifically determined that a material meets the definition of a hazard class other than the class shown in association with the proper shipping name, the material shall be described by an appropriate proper shipping name listed in association with the correct class for the material.

(ii) If an appropriate technical name is not shown in the Table, selection of a proper shipping name shall be made from the generic descriptions or "n.o.s." entries corresponding to the specific hazard class and packing group of the material. The name that most appropriately describes the material shall be used; e.g., an alcohol not listed by its technical name in the Table shall

be described as "Alcohol, n.o.s." rather than "Flammable liquid, n.o.s.". Some mixtures may be more appropriately described according to their application, such as "Coating solution" or "Extracts, flavoring, liquid", rather than by an "n.o.s." entry, such as "Flammable liquid, n.o.s." It should be noted, however, that an n.o.s. entry as a proper shipping name may not provide sufficient information for shipping papers and package markings. Under the provisions of Subparts C and D of this part, the technical name of the constituent which makes the product a hazardous material may be required in association with the proper shipping name.

(iii) If a material meets the definition of more than one hazard class, and is not identified in the Table by a specific description or a dual hazard "n.o.s." entry (e.g., "Flammable liquid, corrosive, n.o.s."), the hazard class of the material shall be determined by using the precedence specified in § 173.2a of this subchapter, and an appropriate shipping description shall be selected as described in paragraph (c)(12)(ii) of this section.

(iv) If it is specifically determined that a material is not a forbidden material and does not meet the definition of any hazard class, the material is not a hazardous material.

(13) When the proper shipping name in the Table is preceded by the letter "D", the hazardous material may be described by an "n.o.s." entry or generic proper shipping name in place of the more specific technical name. However, the technical name of the hazardous material shall be entered in association with the proper shipping name, when appropriate, as for a hazardous substance.

(d) *Column 3: Hazard class.* Column 3 contains a designation of the hazard class or division corresponding to each proper shipping name, or the word "Forbidden".

(1) A material for which the entry in this column is "Forbidden" may not be offered for transportation or transported. This prohibition does not apply if the material is diluted, stabilized or incorporated in a device and it is classed in accordance with the definitions of hazardous materials contained in Part 173 of this subchapter.

(2) When a reevaluation of test data or new data indicates a need to modify the "Forbidden" designation or the hazard class or packing group specified for a material specifically identified in the table, this data should be submitted to the Director, OHMT.

(3) A basic description of each hazard class and the section reference for class definitions appear in § 173.2 of this subchapter.

(e) *Column 4: Identification number.* Column 4 lists the identification number assigned to each proper shipping name. Those preceded by the letters "UN" are associated with proper shipping names considered appropriate for international transportation as well as domestic transportation. Those preceded by the letters "NA" are associated with proper shipping names not recognized for international transportation, except to and from Canada. Identification numbers in the "NA9000" series are associated with proper shipping names not appropriately covered by international hazardous materials (dangerous goods) transportation standards, or not appropriately addressed by international transportation standards for emergency response information purposes, except for transportation between the United States and Canada.

(f) *Column 5: Packing group.* Column 5 specifies the packing group(s) assignment for a material conforming to the associated hazard class and proper shipping name. Classes 1 and 7 and Divisions 2.1 and 2.2 of Class 2 do not have packing groups. Packing groups I, II and III indicate the degree of danger presented by the material is either great, medium or minor, respectively. If more than one packing group is indicated for an entry, the packing group for the hazardous material is determined using the criteria for assignment of packing groups specified in Subpart D of Part 173. When a reevaluation of test data or new data indicates a need to modify the specified packing group(s), the data should be submitted to the Director, OHMT.

(g) *Column 6: Labels.* Column 6 specifies the hazard warning label(s) required for a package filled with a material conforming to the associated hazard class and proper shipping name, unless the package is otherwise excepted from labeling by provisions in Subpart D of Part 172, or Part 173 of this subchapter. The first label shown for each entry is indicative of the primary hazard of the material, additional labels are indicative of subsidiary hazards. Provisions in § 172.402 may require that a label other than that specified in Column 6 be affixed to the package in addition to that specified in Column 6.

(h) *Column 7: Special provisions.* Column 7 specifies codes for special provisions applicable to hazardous materials. When Column 7 refers to a special provision for a hazardous material, the meaning and requirements of that special provision are as set forth in § 172.102.

(i) *Column 8: Packaging authorizations.* Columns 8a, 8b and 8c specify the applicable sections for exceptions, non-bulk packaging requirements and bulk packaging requirements, respectively, in Part 173 of this subchapter. Columns 8a, 8b and 8c are completed in a manner which indicates that "§ 173." precedes the designated numerical entry. For example, the entry "202" in column 8b associated with the proper shipping name "Gasoline" indicates that for this material conformance to non-bulk packaging requirements prescribed in § 173.202 of this subchapter is required. When packaging requirements are specified, they are in addition to the standard requirements for all packagings prescribed in § 173.24 of this subchapter and any other applicable requirements in Subparts A and B of Part 173 of this subchapter.

(1) *Exceptions.* Column 8a contains exceptions from some of the requirements of this subchapter. The referenced exceptions are in addition to those specified in Subpart A of Part 173 and elsewhere in this subchapter. A "None" in this column means no packaging exceptions are authorized, except as may be provided by special provisions in Column 7.

(2) *Non-bulk packaging.* Column 8b references the section in Part 173 of this subchapter which prescribes packaging requirements for non-bulk packagings. A "None" in this column means non-bulk packagings are not authorized, except as may be provided by special provisions in Column 7. Each reference in this column to a material which is a hazardous waste or a hazardous substance, and whose proper shipping name is preceded in Column 1 of the Table by the letter "A" or "W", is modified to include "§ 173.204" on those occasions when the material is offered for transportation or transported by a mode in which its transportation is not otherwise subject to requirements of this subchapter.

(3) *Bulk packaging.* Column 8c specifies the section in Part 173 of this subchapter which prescribes packaging requirements for bulk packagings other than IM portable tanks. A "None" in this column means bulk packagings are not authorized, except as may be provided by special provisions in Column 7. Authorizations for use of IM portable tanks are set forth in Column 7.

(j) *Column 9: Quantity limitations.* Columns 9a and 9b specify the maximum quantities that may be offered for transportation in one package by passenger-carrying aircraft or rail car

(Column 9a) or by cargo aircraft only (Column 9b), subject to the following:

(1) "Forbidden" means the material may not be offered for transportation or transported in the applicable mode of transport.

(2) The quantity limitation is "net" except where otherwise specified, such as for "Consumer commodity" which specifies "65 lbs. gross."

(3) When articles or devices are specifically listed by name, the net quantity limitation applies to the entire article or device (less packaging and packaging materials) rather than only to its hazardous components.

(4) A package offered or intended for transportation by aircraft and which is filled with a material forbidden on passenger-carrying aircraft but permitted on cargo aircraft only, or which exceeds the maximum net quantity authorized on passenger-carrying aircraft, shall be labeled with the CARGO AIRCRAFT ONLY label specified in § 172.448 of this part.

(k) *Column 10: Vessel stowage requirements.* Columns 10a (Cargo vessel) and 10b (Passenger vessel) specify the authorized stowage locations on board vessels. Column 10c (Other stowage provisions) specifies codes for stowage requirements for specific hazardous materials. The meaning of each code in Column 10c is set forth in § 176.84 of this subchapter. Section 176.63 of this subchapter sets forth the physical requirements for each of the authorized locations listed in columns 10a and 10b. (For bulk transportation by vessel, see 46 CFR Parts 30 to 40, 70, 98, 148, 151, 153 and 154.) The authorized stowage locations specified in Columns 10a and 10b are defined as follows:

(1) "1" means the material shall be stowed "on deck."

(2) "2" means the material must be stowed "under deck."

(3) "3" means the material must be stowed "under deck away from heat."

(4) "1,2" means the material may be stowed "on deck" or "under deck." However, "under deck" stowage should be used, if available.

(5) "1,3" means the material may be stowed "on deck" or "under deck away from heat." However, "under deck away from heat" stowage should be used, if available.

(6) "4" means the material may be transported on a passenger vessel in only the quantity specified in column 9a of the Table, and is subject to the stowage requirements specified for a cargo vessel for the same material.

(7) "5" means the material is forbidden and may not be offered for transportation or transported by vessel.

(8) "6" means the material shall be transported in a magazine subject to the requirements of §§ 176.135 through 176.144 of this subchapter.

(l) *Changes to the Table.* (1) Unless specifically stated otherwise in the amendment or the "Effective date" entry in its preamble, if any entry in this Table is changed by an amendment to this subchapter—

(i) Such a change does not apply to the shipment of any package filled prior to the effective date of the amendment; and

(ii) Stocks of preprinted shipping papers and package markings may be continued in use, in the manner previously authorized, until depleted or for a one-year period, subsequent to the effective date of the amendment, whichever is less.

(2) A shipping description or any associated entry which is listed in the § 172.101 Table may be altered, if the alteration is approved by the Director, OHMT.

(3) A shipping description or any associated entry which is listed in the current edition of the IMDG Code but is not listed in the § 172.101 Table may be used as if it were listed in the Table, if approved by the Director, OHMT.

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Accellerene, see p-Nitrosodimethylaniline				
	Accumulators, electric, see Batteries, wet				
	etc..				
D	Accumulators, pressurized, pneumatic *or* hydraulic (*containing non-flammable gas*).	2.2	NA1956		NONFLAMMABLE GAS.
	Acetal	3	UN1088	II	FLAMMABLE LIQUID.
	Acetaldehyde	3	UN1089	I	FLAMMABLE LIQUID.
A	Acetaldehyde ammonia	9	UN1841	III	CLASS 9
	Acetaldehyde oxime	3	UN2332	II	FLAMMABLE LIQUID.
	Acetic acid, glacial *or* Acetic acid solution, *more than 80 per cent acid, by weight.*	8	UN2789	II	CORROSIVE
	Acetic acid solution, *more than 10 per cent but not more than 80 per cent acid, by weight.*	8	UN2790	II	CORROSIVE
	Acetic anhydride	8	UN1715	II	CORROSIVE
	Acetone	3	UN1090	II	FLAMMABLE LIQUID.
	Acetone cyanohydrin	6.1	UN1541	I	POISON
	Acetone oils	3	UN1091	II	FLAMMABLE LIQUID.
	Acetonitrile, see Methyl cyanide				
	Acetyl acetone peroxide (3,5-Dimethyl-3,5-dihydroxydioxolane-1,2), *not more than 40 per cent in solution and not more than 9% by weight active oxygen.*	5.2	UN2080	II	ORGANIC PEROXIDE.
	Acetyl acetone peroxide, (3,5-dimethyl-3,5-dihydroxydioxonale-1,2), *not more than 32% as a paste with not less than 44% solvent, not less than 9% water and not less than 11% inert solid.*	5.2	UN3061	II	ORGANIC PEROXIDE.

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMA-GAS.		306	306	None	No limit	No limit	1,2	1,2	
ABLE D.	T7	150	202	242	5 L	60 L	1,3	5	12
ABLE D.	B16, N1, N15, T20, T26, T29.	None	201	243	Forbidden	30 L	1,3	5	12
9		155	204	241	200 kg	200 kg	1,2	1,2	34
ABLE D.	T8	150	202	242	5 L	60 L	1,3	1,3	
SIVE	B2, N1, N11, N26, N35, T8.	154	202	242	1 L	30 L	1,3	1,3	21
SIVE	B2, N1, N11, N26, N35, T8.	154	202	242	1 L	30 L	1,2	1,2	
SIVE	B2, N1, N11, N26, N35, T8.	154	202	242	1 L	30 L	1,3	1,3	21, 40, 77
ABLE D.	T8	150	202	242	5 L	60 L	1,3	5	
	B14, B32, N1, N16, N34, 10.	None	227	244	Forbidden	Forbidden	1	5	25, 26, 27, 40, 95
ABLE D.	T7, T30	150	202	242	5 L	60 L	1,3	1	
IC XIDE.		152	225	None	5 L	10 L	1	5	12, 40
IC XIDE.		None	225	None	5 kg	10 kg	1	5	2

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Acetyl acetone peroxide with more than 9% by weight active oxygen.	Forbidden	.....		
	Acetyl benzoyl peroxide, *not more than 45 per cent in solution.*	5.2	UN2081	II	ORGANIC PEROXIDE.
	Acetyl benzoyl peroxide, solid, or more than 40% in solution.	Forbidden	.....		
	Acetyl bromide	8	UN1716	II	CORROSIVE.
	Acetyl chloride	3	UN1717	II	FLAMMABLE LIQUID, CORROSIVE.
	Acetyl cyclohexanesulfonyl peroxide, more than 82 per cent wetted with less than 12 per cent water.	Forbidden	.....		
	Acetyl cyclohexanesulfonyl peroxide, *not more than 32 per cent in solution.*	5.2	UN2083	II	ORGANIC PEROXIDE.
	Acetyl cyclohexanesulfonyl peroxide, *not more than 82 per cent, wetted with not less than 12 per cent water.*	5.2	UN2082	I	ORGANIC PEROXIDE.
	Acetylene, dissolved	2.1	UN1001	.....	FLAMMABLE GAS.
	Acetylene (liquefied)	Forbidden	.....		
	Acetylene silver nitrate	Forbidden	.....		
	Acetylene tetrabromide, see Tetrabromoethane.	.....	.....		
	Acetyl iodide	8	UN1898	II	CORROSIVE.
	Acetyl methyl carbinol	3	UN2621	III	FLAMMABLE LIQUID.
	Acetyl peroxide, *see* Diacetyl peroxide, *etc.*	.....	.....		
	Acid butyl phosphate, see Butyl acid phosphate.	.....	.....		
D	Acid, liquid, n.o.s.	8	JA1760	II	CORROSIVE.
	Acid, sludge, *see* Sludge acid	.....	.....		
	Acridine	6.1	UN2713	III	KEEP AWAY FROM FOOD.
	Acrolein dimer, stabilized	3	UN2607	III	FLAMMABLE LIQUID.
	Acrolein, inhibited	3	UN1092	I	FLAMMABLE HIQUID, POISON.
	Acrylamide	6.1	UN2074	III	KEEP AWAY FROM FOOD.

Labels	Special provisions	(8) Packaging authorizations (§173.**)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(5)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ANIC ROXIDE.		None	225	None	5 L	10 L	1	5	12, 40
ROSIVE	B2, T12, T26.	154	202	242	1 L	30 L	1	1	80, 40
MABLE UID, RROSIVE.	N1, N11, N16, N26, N34, T18, T26.	None	202	243	1 L	5 L	1,3	1	40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
MABLE S.		None	303	None	Forbidden	15 kg	1	1	25, 40, 57, 93
ROSIVE	B2, T9	154	202	242	1 L	30 L	1	1	8, 40
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
ROSIVE	B2	154	202	242	1 L	5 L	1,2	1	
AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1	34
MABLE UID.	T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE UID, SON.	10, B12, B14, B30, B42, B43.	None	226	244	Forbidden	Forbidden	1,3	5	12, 40
AWAY OM FOOD.	T8	153	213	240	100 kg	200 kg	1,2	1,2	12, 25, 34

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Acrylic acid, inhibited	8	UN2218	II	CORROSIVE
	Acrylonitrile, inhibited	3	UN1093	I	FLAMMABLE LIQUID, POISON.
	Actuating cartridge, explosive, see Cartridges, power device.				
	Adhesives, *containing flammable liquid*	3	UN1133	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Adiponitrile	6.1	UN2205	III	KEEP AWAY FROM FO
	Aerosols, corrosive, n.o.s., *each not exceeding 1L capacity.*	2.2	UN1950		NONFLAMMABLE GAS, CORROSIV
	Aerosols, flammable, n.o.s. (*each not exceeding 1 L capacity*).	2.1	UN1950		FLAMMABLE GAS.
	Aerosols, non-flammable, n.o.s. (*each not exceeding 1 L capacity*).	2.2	UN1950		NONFLAMMABLE GAS.
	Aerosols, poison, n.o.s., *each not exceeding 1L capacity.*	2.3	UN1950	II	POISON GAS
	Air, compressed	2.2	UN1002		NONFLAMMABLE GAS.
	Aircraft evacuation slides, *see* Life rafts, *etc.*.				
D	Aircraft hydraulic power unit fuel tank (*containing a mixture of anhydrous hydrazine and monomethyl hydrazine*) (*M86 fuel*).	3	NA9302	I	FLAMMABLE LIQUID, POISON, CORROSIV
	Aircraft survival kits, *see* Life rafts, *etc.*				
	Aircraft thrust device *to assist take-off*	4.1	UN2791	II	FLAMMABLE SOLID.
	Air, refrigerated liquid, *low pressure or pressurized.*	2.2	UN1003		NONFLAMMABLE GAS, OXIDIZER.
	Air, refrigerated liquid, *non-pressurized*	2.2	UN1003		NONFLAMMABLE GAS, OXIDIZER.
	Alcoholic beverages	3	UN3065	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Alcohols, n.o.s	3	UN1987	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.

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Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ORROSIVE	B2, T8	154	202	242	1 L	30 L	1	1	8, 12, 21, 25, 40
LAMMABLE LIQUID, POISON.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,3	5	12, 40
LAMMABLE LIQUID.	T7, T30	150	173	242	5 L	60 L	1,3	1	12
LAMMABLE LIQUID.	B1, T7, T30.	150	173	242	60 L	220 L	1,3	1,3	12
EEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	1,2	1,2	25, 34
ONFLAMMABLE GAS, CORROSIVE.		None	302, 304, 305	None	75 kg	150 kg	1,3	1,3	40, 48, 85
LAMMABLE GAS.		306	302, 304, 305	None	75 kg	150 kg	1,3	1,3	40, 48, 85
ONFLAMMABLE GAS.		306, 307	302, 304, 305	None	75 kg	150 kg	1,3	1,3	48, 85
OISON GAS	10	None	302, 304, 305	None	Forbidden	Forbidden	1,3	1,3	40, 48, 85
ONFLAMMABLE GAS.	B13	306	302	244	75 kg	150 kg	1,3	1,3	85
LAMMABLE LIQUID, POISON, CORROSIVE.		None	172	None	Forbidden	42 L	1,3	5	
LAMMABLE SOLID.		None	180	None	Forbidden	250 kg	1,3	5	
ONFLAMMABLE GAS, OXIDIZER.		320	316	318, 319	Forbidden	150 kg	1,3	1,3	55, 51, 85
ONFLAMMABLE GAS, OXIDIZER.		320	316	318, 319	Forbidden	Forbidden	1,3	1,3	85
LAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
LAMMABLE LIQUID.	B1, T1	150	203	242	60	220 L	1,3	1,3	
LAMMABLE LIQUID.	T8, T31	150	202	242	5 L	60 L	1,3	1	12
LAMMABLE LIQUID.	T7, T30	150	203	242	60 L	220 L	1,3	1,3	12

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Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Alcohols, toxic, n.o.s.	3	UN1986	II	FLAMMABL LIQUID, POISON.
	Aldehydes, n.o.s.	3	UN1989	I	FLAMMABL LIQUID.
				II	FLAMMABL LIQUID.
				III	FLAMMABL LIQUID.
	Aldehydes, toxic, n.o.s.	3	UN1988	II	FLAMMABL LIQUID, POISON.
	Aldol	6.1	UN2839	II	POISON.
D	Aldrin, *liquid*	6.1	NA2762	II	POISON.
D	Aldrin, *solid*	6.1	NA2761	II	POISON.
	Alkali metal alloys, liquid	4.3	UN1421	I	DANGEROU WHEN WE
	Alkali metal amalgams, n.o.s., *liquid*	4.3	UN1389	I	DANGEROU WHEN WE
	Alkali metal amalgams, n.o.s., *solid*	4.3	UN1389	I	DANGEROU WHEN WE
	Alkali metal amides, n.o.s.	4.3	UN1390	II	DANGEROU WHEN WE
	Alkali metal dispersions, n.o.s. *or* Alkali earth metal dispersions, n.o.s..	4.3	UN1391	I	DANGEROU WHEN WE
	Alkaline corrosive liquids, n.o.s., see Caustic alkali liquids, n.o.s..				
	Alkaline earth metal alloys, n.o.s.	4.3	UN1393	II	DANGEROU WHEN WE
	Alkaline earth metal amalgams, n.o.s.	4.3	UN1392	I	DANGEROU WHEN WE
	Alkaloids, n.o.s., *or* Alkaloid salts, n.o.s., *poisonous liquid*.	6.1	UN1544	I	POISON.
				II	POISON.
				III	KEEP AWAY FROM FO
	Alkaloids, n.o.s., *or* Alkaloid salts, n.o.s., *poisnous solid*.	6.1	UN1544	I	POISON.
				II	POISON.
				III	KEEP AWAY FROM FO

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	1	12, 40
FLAMMABLE LIQUID.	T8, T31	None	201	243	1 L	30 L	1,3	1	12
FLAMMABLE LIQUID.	T8, T31	150	202	242	5 L	60 L	1,3	1	12
FLAMMABLE LIQUID.	T7, T30	150	203	242	60 L	220 L	1,3	1,3	12
FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	5	12, 40
POISON	T8	None	202	243	5 L	60 L	1,3	1,3	12, 25, 95
POISON		None	202	243	5 L	60 L	1,3	1,3	
POISON		None	212	242	25 kg	100 kg	1,2	1,2	95
DANGEROUS WHEN WET.	A2, N1, N15, N34.	None	201	244	Forbidden	1 L	1	5	
DANGEROUS WHEN WET.	A2, N1, N15, N34.	None	201	244	Forbidden	1 L	1,3	1,3	
DANGEROUS WHEN WET.	A2, N1, N15, N34.	None	211	242	Forbidden	15 kg	1,3	1,3	
DANGEROUS WHEN WET.	A19, A20, N2, N11, N26.	None	212	241	15 kg	50 kg	1,3	5	40
DANGEROUS WHEN WET.	A2, N1, N15, N34.	None	201	244	Forbidden	1 L	1	5	
DANGEROUS WHEN WET.	A19	None	212	241	15 kg	50 kg	1,3	5	
DANGEROUS WHEN WET.	A19, N34	None	211	242	Forbidden	15 kg	1,3	1,3	
POISON		None	201	243	1 L	30 L	1,2	1,2	95
POISON		None	202	243	5 L	60 L	1,2	1,2	95
KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	
POISON		None	211	242	5 kg	50 kg	1,2	1,2	
POISON		None	212	242	25 kg	100 kg	1,2	1,2	
KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Alkylamines, n.o.s. *or* Polyalkylamines, n.o.s., *corrosive, flammable.*	8	UN2734	I	CORROSIVE, FLAMMABLE LIQUID.
	.....	.....	.....	II	CORROSIVE, FLAMMABLE LIQUID.
	Alkylamines, n.o.s. *or* Polyalkylamines, n.o.s., *flammable, corrosive.*	3	UN2733	I	FLAMMABLE LIQUID, CORROSIVE
	.....	.....	.....	II	FLAMMABLE LIQUID, CORROSIVE
	.....	.....	.....	III	FLAMMABLE LIQUID, CORROSIVE
	Alkylamines, n.o.s, *or* Polyalkylamines, n.o.s., *corrosive.*	8	UN2735	I	CORROSIVE...
	.....	.....	.....	II	CORROSIVE...
	.....	.....	.....	III	CORROSIVE...
	Alkyl, Aryl *or* Toluene sulfonic acid, liquid, *with more than 5 per cent free sulfuric acid.*	8	UN2584	II	CORROSIVE...
	Alkyl, Aryl *or* Toluene sulfonic acid, liquid, *with not more than 5 per cent free sulfuric acid.*	8	UN2586	III	CORROSIVE...
	Alkyl, Aryl *or* Toluene sulfonic acid, solid, *with more than 5 per cent free sulfuric acid.*	8	UN2583	II	CORROSIVE...
	Alkyl, Aryl *or* Toluene sulfonic acid, solid, *with not more than 5 per cent free sulfuric acid.*	8	UN2585	III	CORROSIVE...
	Alkyl phenols, n.o.s. (*including C2-C8 homologues*) *liquid.*	6.1	UN2430	III	KEEP AWAY FROM FOOD
	Alkyl phenols, n.o.s. (*including C2-C8 homologues*) *solid.*	6.1	UN2430	III	KEEP AWAY FROM FOOD
	Allethrin, see Pesticides, liquid, toxic, n.o.s.	.....	.....	.....	.....
	Allyl acetate	3	UN2333	II	FLAMMABLE LIQUID, POISON.
	Allyl alcohol	3	UN1098	I	FLAMMABLE LIQUID, POISON.
	Allylamine	3	UN2334	I	FLAMMABLE LIQUID, POISON.
	Allyl bromide	3	UN1099	I	FLAMMABLE LIQUID, POISON.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
RROSIVE, LAMMABLE IQUID.	N1, N11, N34, T8, T31.	None	201	243	0.5 L	2.5 L	1,3	1,3	22
RROSIVE, LAMMABLE IQUID.	T8, T31	None	202	243	1 L	30 L	1,3	1,3	22
AMMABLE IQUID, ORROSIVE.	T42	None	201	243	0.5 L	2.5 L	1,3	1	40
AMMABLE IQUID, ORROSIVE.	T8, T31	None	202	243	1 L	5 L	1,3	1	40
AMMABLE IQUID, ORROSIVE.	B1, T8, T31.	None	203	242	5 L	60 L	1,3	1,3	
RROSIVE	B4, N1, N11, N34, T42.	None	201	242	0.5 L	2.5 L	1,2	1	
RROSIVE	B2, T8	154	202	242	1 L	30 L	1,2	1,2	
RROSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	
RROSIVE	B2, T8, T27.	154	202	242	1 L	30 L	1,2	1	9
RROSIVE	T8	154	203	241	5 L	60 L	1,2	1	9
RROSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
RROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
EP AWAY ROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34
EP AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
AMMABLE IQUID, OISON.	T8	None	202	243	1 L	60 L	1,3	5	12, 40, 94
AMMABLE IQUID, OISON.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,3	5	40
AMMABLE IQUID, OISON.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,3	5	12, 40
AMMABLE IQUID, OISON.	T18	None	201	243	Forbidden	30 L	1,3	5	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Allyl chloride	3	UN1100	I	FLAMMABLE LIQUID, POISON.
	Allyl chlorocarbonate, see Allyl chloroformate.				
	Allyl chloroformate	8	UN1722	I	CORROSIVE, POISON.
	Allyl ethyl ether	3	UN2335	II	FLAMMABLE LIQUID, POISON.
	Allyl formate	3	UN2336	I	FLAMMABLE LIQUID, POISON.
	Allyl glycidyl ether	3	UN2219	III	FLAMMABLE LIQUID.
	Allyl iodide	3	UN1723	I	FLAMMABLE LIQUID, CORROSIVE
	Allyl isothiocyanate, inhibited	6.1	UN1545	II	POISON
	Allyltrichlorosilane, stabilized	8	UN1724	II	CORROSIVE
	Aluminum alkyl halides	4.2	UN3052	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROU WHEN WET.
	Aluminum alkyls	4.2	UN3051	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROU WHEN WET.
	Aluminum borohydride *or* Aluminum borohydride in devices.	4.2	UN2870	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROU WHEN WET.
	Aluminum bromide, anhydrous	8	UN1725	II	CORROSIVE

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE IQUID, OISON.	T18, T26	None	201	243	Forbidden	30 L	1,3	5	12, 40
RROSIVE, OISON.	10, B14, B32, N1, N34, N41.	None	227	244	Forbidden	Forbidden	1	5	21, 40, 77, 95
AMMABLE IQUID, OISON.	T8	None	202	243	1 L	60 L	1,3	5	12, 40
AMMABLE IQUID, OISON.	T18, T26	None	201	243	Forbidden	30 L	1,3	5	12, 40
AMMABLE IQUID.	B1, T7	150	203	242	60 L	220 L	1,3	1,3	
AMMABLE IQUID, ORROSIVE.	N1, N11, N34, T18.	None	201	243	0.5 L	2.5 L	1,3	5	40
SON.	N1, N15, N16, N17, N26, T17.	None	202	243	Forbidden	60 L	1	5	21, 25, 40, 95
RROSIVE	B2, B6, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	21, 40, 77
ONTANE-USLY OMBUSTI-LE, ANGEROUS HEN WET.	B9, B11, B14, T28, T29, T40.	None	181	244	Forbidden	Forbidden	1	5	
ONTANE-USLY OMBUSTI-LE, ANGEROUS HEN WET.	B9, B11, B14, T28, T29, T40.	None	181	244	Forbidden	Forbidden	1	5	
ONTANE-USLY OMBUSTI-LE, ANGEROUS HEN WET.	B11	None	181	244	Forbidden	Forbidden	1	5	
RROSIVE		154	212	240	15 kg	50 kg	1,2	1,2	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Aluminum bromide, solution	8	UN2580	III	CORROSIVE
	Aluminum carbide	4.3	UN1394	II	DANGEROUS WHEN WET.
	Aluminum chloride, anhydrous	8	UN1726	II	CORROSIVE
	Aluminum chloride, solution	8	UN2581	III	CORROSIVE
	Aluminum dross, wet or hot	Forbidden			
	Aluminum ferrosilicon powder	4.3	UN1395	II	DANGEROUS WHEN WET, POISON.
	Aluminum hydride	4.3	UN2463	I	DANGEROUS WHEN WET.
	Aluminum nitrate	5.1	UN1438	III	KXIDIZER
	Aluminum phosphate solution, see Corrosive liquids, n.o.s..				
	Aluminum phosphide	4.3	UN1397	I	DANGEROUS WHEN WET, POISON.
	Aluminum phosphide pesticides	6.1	UN3048	I	POISON
	Aluminum powder, coated, *not less than 20 per cent aluminum powder, particle size less than 250 microns.*	4.1	UN1309	II	FLAMMABLE SOLID.
	Aluminum powder, uncoated	4.3	UN1396	II	DANGEROUS WHEN WET.
	Aluminum resinate	4.1	UN2715	III	FLAMMABLE SOLID.
	Aluminum silicon powder, uncoated	4.3	UN1398	III	DANGEROUS WHEN WET.
	Amatols, see Explosives, blasting, type B				
	2-Amino-4-chlorophenol	6.1	UN2673	II	POISON
	2-Amino-5-diethylaminopentane	6.1	UN2946	III	KEEP AWAY FROM FOOD
	2-(2-Aminoethoxy) ethanol	8	UN3055	III	CORROSIVE
	N-Aminoethylpiperazine	8	UN2815	III	CORROSIVE
	Aminophenols (*o-,m-,p-*)	6.1	UN2512	III	KEEP AWAY FROM FOOD
	Aminopropyldiethanolamine, see Alkylamines, n.o.s..				
	n-Aminopropylmorpholine, see Alkylamines, n.o.s..				
	Aminopyridines (*o-,m-,p-*)	6.1	UN2671	II	POISON
	Ammonia, anhydrous, liquefied	2.3	UN1005	III	POISON GAS
	Ammonia solutions, *density (specific gravity) between 0.880 and 0.957 at 15 degrees C in water, with more than 10 per cent but not more than 35 percent ammonia.*	8	UN2672	III	CORROSIVE

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
RROSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	
IGEROUS HEN WET.	A20, N34, N41.	None	212	242	15 kg	50 kg	1,3	1,3	
RROSIVE		154	212	240	15 kg	50 kg	1,2	1,2	40
RROSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	
IGEROUS HEN WET, DISON.	A19	None	212	242	15 kg	50 kg	1,3	1,3	40
IGEROUS HEN WET.	A19	None	211	242	Forbidden	15 kg	1,3	5	
DIZER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	
IGEROUS HEN WET, DISON.	A19, N2	None	211	242	Forbidden	15 kg	1,3	5	40, 85
SON	N2	None	211	242	Forbidden	15 kg	1,2	1,2	95
MMABLE OLID.		151	212	240	15 kg	50 kg	1,3	1,3	13, 39
GEROUS HEN WET.	A19, A20	None	212	240	15 kg	50 kg	1,3	1,3	39
MMABLE OLID.		151	213	240	25 kg	100 kg	1,3	1,3	
GEROUS HEN WET.	A1, A19	None	213	241	25 kg	100 kg	1,3	1,3	40
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
P AWAY ROM FOOD.	T1	153	203	240	60 L	220 L	1,2	1,2	34
RROSIVE	T2	154	203	241	5 L	60 L	1,2	1,2	
RROSIVE	T7	154	203	241	5 L	60 L	1,3	1,3	12
P AWAY ROM FOOD.	T1	153	213	240	100 kg	200 kg	1,2	1,2	34
SON	T7	None	212	242	25 kg	100 kg	1,3	1	12, 40, 95
SON GAS	10	None	304	314, 315	Forbidden	Forbidden	1.2	5	40, 57
ROSIVE	T14	154	203	241	5 L	60 L	1,2	1,2	40, 85

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Ammonia solutions, *density (specific gravity) less than 0.880 at 15 degrees C in water, with more than 50 percent ammonia.*	2.2	UN1005	.....	NONFLAMMABLE GAS.
	Ammonia solutions, *density (specific gravity) less than 0.880 at 15 degrees C in water, with more than 35 per cent but not more than 50 per cent ammonia.*	2.2	UN2073	.....	NONFLAMMABLE GAS.
	Ammonium arsenate	6.1	UN1546	II	POISON.
	Ammonium azide	Forbidden	.....	.....	
	Ammonium bifluoride, solid, see Ammonium hydrogen fluoride, solid.	.....	.....	.....	
	Ammonium bifluoride solution, see Ammonium hydrogen fluoride, solution.	.....	.....	.....	
	Ammonium bromate	Forbidden	.....	.....	
	Ammonium chlorate	Forbidden	.....	.....	
	Ammonium dichromate (*ammonium bichromate*) *solid.*	5.1	UN1439	II	OXIDIZER
D	Ammonium dichromate (*ammonium bichromate*) *solution.*	5.1	UN1439	II	OXIDIZER
	Ammonium dinitro-o-cresolate	6.1	UN1843	II	POISON.
	Ammonium fluoride	6.1	UN2505	III	KEEP AWAY FROM FOOD.
	Ammonium fluorosilicate	6.1	UN2854	III	KEEP AWAY FROM FOOD.
	Ammonium fulminate	Forbidden	.....	.....	
	Ammonium hydrogen fluoride, solid	8	UN1727	II	CORROSIVE.
	Ammonium hydrogén fluoride, solution	8	UN2817	II	CORROSIVE, POISON.
	Ammonium hydrogen sulfate	8	UN2506	II	CORROSIVE.
	Ammonium hydrosulfide, solution, see Ammonium sulfide solution.	.....	.....	.....	
D	Ammonium hydroxide, *see* Ammonia solutions, *etc.*.	.....	.....	.....	
	Ammonium metavanadate	6.1	UN2859	II	POISON.
	Ammonium nitrate fertilizers, n.o.s.	5.1	UN2072	II	OXIDIZER
	Ammonium nitrate fertilizers: *uniform non-segregating mixtures of ammonium nitrate/ ammonium sulfate, with more than 45 per cent but not more than 70 per cent ammonium nitrate and not more than 0.4 per cent of total combustible material.*	5.1	UN2069	III	OXIDIZER

bels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMA-GAS.	B13	306	304	314, 315	Forbidden	25 kg	1,3	5	40, 57, 85, 95
AMMA-GAS.		306	304	314, 315	Forbidden	150 kg	1,3	5	40, 57, 85
		None	212	242	25 kg	100 kg	1,2	1,2	27, 95
ER	B10	152	212	240	5 kg	25 kg	1,2	1,2	34
ER		152	202	241	5 L	60 L	1,2	1,2	
	T8	None	212	242	25 kg	100 kg	1,2	1	36, 65, 66, 77
WAY I FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	26, 34
WAY I FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	26, 34
SIVE	N34	154	212	240	15 kg	50 kg	1,2	1,2	26, 40
SIVE, ON.	N34, T15	None	202	243	1 L	30 L	1,2	1,2	40
SIVE		154	212	240	15 kg	50 kg	1,2	1,2	27, 40
		None	212	242	25 kg	100 kg	1,2	1,2	95
ER	B10	152	212	240	5 kg	25 kg	1,3	1,3	31, 48, 59, 60
ER	A1, A29	152	213	240	25 kg	100 kg	1,3	1,3	31, 48, 59, 60

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Ammonium nitrate fertilizers: *uniform non-segregating mixtures of ammonium nitrate with added matter which is inorganic and chemically inert towards ammonium nitrite, with not less than 90 per cent ammonium nitrate and not more than 0.2 per cent combustible material (including organic material calculated as carbon), or with more than 70 per cent but less than 90 per cent ammonium nitrate and not more than 0.4 per cent total combustible material.*	5.1	UN2067	III	OXIDIZER .....
	Ammonium nitrate fertilizers: *uniform non-segregating mixtures of ammonium nitrate with calcium carbonate and/or dolomite, with more than 80 per cent but less than 90 per cent ammonium nitrate and not more than 0.4 per cent total combustible material.*	5.1	UN2068	III	OXIDIZER .....
	Ammonium nitrate fertilizers: *ujifkrm non-segregating mixtures of nitrogen/phosphate or nitrogen/potash types or complete fertilizers of nitrogen/phosphate/potash type(with more than 70 per cent but less than 90 per cent ammonium nitrate and not more than 0.4 per cent total combustible material.*	5.1	UN2070	III	OXIDIZER .....
AW	Ammonium nitrate fertilizers: *ujiform non-segregating mixtures of nitrogej/phosphate or jitrogen/potash types or complete fertilizers of nitrogen/ phosphate/ potash type, with not more than 70 per cent ammonium nitrate and not more than 0.4 per cent total added combustible material or with not more than 45 per cent ammonium nitrate with unrestricted combustible material.*	9	UN2071	III	CLASS 9 .....
D	Ammonium nitrate fertilizers *with not more than 0.2 percent carbon; which meet the definition in the Fertilizer Institute publication 'Definition and Test Procedures for Ammonium Nitrate Fertilizer', dated May 8, 1971.*	5.1	NA1942	III	KXIDIZER.....
	Ammonium nitrate fertilizer: *which is more liable to explode than ammonium nitrate with 0.2 per cent combustible substances, including any organic substance calculated as carbon, to the exclusion of any other added substance.*	1.1D	UN0223		

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ER	A1, A29	152	213	240	25 kg	100 kg	1,3	1,3	31, 48, 59, 60
ER	A1, A29	152	213	240	25 kg	100 kg	1,3	1,3	31, 48, 59, 60
ER	A1, A29	152	213	240	25 kg	100 kg	1,3	1,3	31, 48, 59, 60
9		155	213	240	200 kg	200 kg	1,2	1,2	
ER	A1, A29	152	213	240	25 kg	100 kg	1,3	1,3	31, 48, 60

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Ammonium nitrate, liquid (*hot concentrated solution*).	5.1	UN2426	II	OXIDIZER
	Ammonium nitrate, *with more than 0.2 per cent combustible substances, including any organic substance calculated as carbon, to the exclusion of any other added substance.*	1.1D	UN0222		
	Ammonium nitrate, *with not more than 0.2 per cent combustible substances, including any organic substance calculated as carbon, to the exclusion of any other added substance.*	5.1	UN1942	III	OXIDIZER
	Ammonium nitrite	Forbidden			
	Ammonium perchlorate	5.1	UN1442	II	OXIDIZER
	Ammonium perchlorate	1.1D	UN0402		
	Ammonium permanganate, see Permanganates, inorganic, n.o.s..				
	Ammonium persulfate	5.1	UN1444	III	OXIDIZER
	Ammonium picrate; *dry or wetted with less than 10 per cent water, by weight.*	1.1D	UN0004		
	Ammonium picrate, wetted *with not less than 10 per cent water, by weight.*	4.1	UN1310	I	FLAMMABLE SOLID.
	Ammonium polysulfide, solution	8	UN2818	II	CORROSIVE, POISON.
	Ammonium polyvanadate	6.1	UN2861	II	POISON
	Ammonium silicofluoride, see Ammonium fluorosilicate.				
	Ammonium sulfide solution	8	UN2683	II	CORROSIVE, POISON, FLAMMABLE LIQUID.
	Ammunition, blank, see Cartridges for weapons, blank.				
	Ammunition, illuminating *with or without burster, expelling charge or propelling charge.*	1.2G	UN0171		
	Ammunition, illuminating *with or without burster, expelling charge or propelling charge.*	1.3G	UN0254		
	Ammunition, illuminating *with or without burster, expelling charge or propelling charge.*	1.4G	UN0297		
	Ammunition, incendiary *liquid or gel, with burster, expelling charge or propelling charge.*	1.3J	UN0247		

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ZER	B5, B17, T25.	None	None	243	Forbidden	Forbidden	5	5	
ZER	A1, A29	152	213	240	25 kg	100 kg	1,3	1,3	31, 48, 59, 60
ZER	N13, N34	152	212	240	5 kg	25 kg	1,2	5	46
ZER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	
MABLE D.	A2, N15, N34, N41.	None	211	None	0.5 kg	0.5 kg	1	5	36
OSIVE, ON.	T14	None	202	243	1 L	30 L	1,3	1	12, 26, 40
N		None	212	242	25 kg	100 kg	1,2	1,2	95
OSIVE, ON, MMABLE ID.	T14	None	202	243	1 L	30 L	1,3	1	12, 22, 49

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Ammunition, incendiary (*other than water-activated ammunition*), *without white phosphorus or phosphides, with or without burster, expelling charge or propelling charge.*	1.2G	UN0009		
	Ammunition, incendiary (*other than water-activated ammunition*), *without white phosphorus or phosphides, with or without burster, expelling charge or propelling charge.*	1.3G	UN0010		
	Ammunition, incendiary (*other than water-activated ammunition*), *without white phosphorus or phosphides, with or without burster, expelling charge or propelling charge.*	1.4G	UN0300		
	Ammunition, incendiary (water-activated contrivances) with burster, expelling charge or propelling charge, see Contrivances, water-activated, etc..	.....	.....		
	Ammunition, incendiary, white phosphorus, *with burster, expelling charge or propelling charge.*	1.2H	UN0243		
	Ammunition, incendiary, white phosphorus, *with burster, expelling charge or propelling charge.*	1.3H	UN0244		
	Ammunition, practice	1.4G	UN0362		
	Ammunition, proof	1.4G	UN0363		
	Ammunition, rocket, see Warheads, rocket *etc.*.	.....	.....		
	Ammunition, SA (small arms), see Cartridges for weapons, *etc.*.	.....	.....		
	Ammunition, smoke (*other than water-activated ammunition*), *without white phosphorus or phosphides, with or without burster, expelling charge or propelling charge.*	1.3G	UN0016		
	Ammunition, smoke (*other than water-activated ammunition*), *without white phosphorus or phosphides, with or without burster, expelling charge or propelling charge.*	1.4G	UN0303		
	Ammunition, smoke (*other than water-activated ammunition*), *without white phosphorus or phosphides with or without burster, expelling charge or propelling charge.*	1.2G	UN0015		

bels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Excep-tions	Non-bulk pack-aging	Bulk packag-ing	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Pas-senger vessel	Other stowage provisions
6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	
(1)	(2)	(3)	(4)	(5)	(6)	
	Ammunition, smoke (water-activated contrivances), white phosphorus, with burster, expelling charge or propelling charge, see Contrivances, water-activated, *etc. (UN 0248).*	.....	.....			
	Ammunition, smoke (water-activated contrivances), without white phosphorus or phosphides, with burster, expelling charge or propelling charge, see Contrivances, water-activated, *etc. (UN 0249).*	.....	.....			
	Ammunition, smoke, white phosphorus *(other than water-activated ammunition), with burster, expelling charge or propelling charge.*	1.3H	UN0246			
	Ammunition smoke, white phosphorus *(other than water-activated ammunition), with burster, expelling charge or propelling charge.*	1.2H	UN0245			
	Ammunition, sporting, see Cartridges for weapons, *etc. (UN 0012; 0328; 0339).*	.....	.....			
	Ammunition, tear-producing, non-explosive, *without burster or expelling charge, non-fuzed.*	6.1	UN2017	II	POISON, CORROSIVE.	
	Ammunition, tear-producing *with burster, expelling charge or propelling charge.*	1.2G	UN0018			
	Ammunition, tear-producing *with burster, expelling charge or propelling charge.*	1.3G	UN0019			
	Ammunition, tear-producing *with burster, expelling charge or propelling charge.*	1.4G	UN0301			
	Ammunition, toxic, nonexplosive, *without burster or expelling charge, non-fuzed.*	6.1	UN2016	II	POISON	
	Ammunition, toxic *(other than water-activated ammunition), with burster, expelling charge or propelling charge.*	1.2K	UN0020			
	Ammunition, toxic *(other than water-activated ammunition), with burster, expelling charge or propelling charge.*	1.3K	UN0021			
	Ammunition, toxic (water-activated contrivances), with burster, expelling charge or propelling charge, see Contrivances, water-activated, *etc..*	.....	.....			
	Amorces, see Caps, toy	.....	.....			
	Amyl acetates	3	UN1104	III	FLAMMABLE LIQUID.	T
	Amyl acid phosphate	8	UN2819	III	CORROSIVE	T
	Amyl alcohols	3	UN1105	II	FLAMMABLE LIQUID.	T
				III	FLAMMABLE LIQUID.	B

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
ols	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
OSIVE.		None	212	None	Forbidden	50 kg	1,2	5	13, 20, 40, 95
		None	212	None	Forbidden	100 kg	1,2	5	13, 40, 95
BLE	T1	150	203	241	60 L	220 L	1,3	1	
SIVE	T7	154	203	241	5 L	60 L	1,2	1,2	
BLE	T1	150	202	242	5 L	60 L	1,3	1	
BLE	B2, T1	150	203	242	60 L	220 L	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Amylamine	3	UN1106	II	FLAMMABLE LIQUID.
	Amyl butyrates	3	UN2620	III	FLAMMABLE LIQUID.
	Amyl chloride	3	UN1107	II	FLAMMABLE LIQUID.
	n-Amylene	3	UN1108	I	FLAMMABLE LIQUID.
	Amyl formates	3	UN1109	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	tert - Amyl hydroperoxide *not more than 88% in solution with not less than 6% water.*	5.2	UN3067	I	ORGANIC PEROXIDE.
	Amyl mercaptan	3	UN1111	II	FLAMMABLE LIQUID.
	Amyl methyl ketone	3	UN1110	III	FLAMMABLE LIQUID.
	Amyl nitrate	3	UN1112	II	FLAMMABLE LIQUID.
	Amyl nitrite	3	UN1113	II	FLAMMABLE LIQUID.
	tert-Amylperoxybenzoate, *not more than 92 per cent in solution.*	5.2	UN3044	II	ORGANIC PEROXIDE.
	tert-Amyl peroxy-2-ethylhexanoate, *technically pure.*	5.2	UN2898	II	ORGANIC PEROXIDE.
	tert-Amyl peroxyneodecanoate, *not more than 75 per cent with phlegmatiser.*	5.2	UN2891	II	ORGANIC PEROXIDE.
	tert-Amyl peroxypivalate, *not more than 77 per cent in solution.*	5.2	UN2957	II	ORGANIC PEROXIDE.
	Amyltrichlorosilane	8	UN1728	II	CORROSIVE
	Anhydrous hydrofluoric acid, see Hydrogen fluoride, anhydrous.				
	Aniline	6.1	UN1547	II	POISON
	Aniline hydrochloride	6.1	UN1548	III	KEEP AWAY FROM FOOD.
	Aniline oil, see Aniline				
	Anisidines *liquid*	6.1	UN2431	III	KEEP AWAY FROM FOOD.
	Anisidines *solid*	6.1	UN2431	III	KEEP AWAY FROM FOOD.
	Anisole	3	UN2222	III	FLAMMABLE LIQUID.
	Anisoyl chloride	8	UN1729	II	CORROSIVE

abels (6)	Special provisions (7)	(8) Packaging authorizations (§173.***) Exceptions (8A)	Non-bulk packaging (8B)	Bulk packaging (8C)	(9) Quantity limitations Passenger aircraft or railcar (9A)	Cargo aircraft only (9B)	(10) Vessel stowage requirements Cargo vessel (10A)	Passenger vessel (10B)	Other stowage provisions (10C)
MABLE	T1	150	202	242	5 L	60 L	1,3	1	
JID.									
MABLE	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
JID.									
MABLE	T1	150	202	242	5 L	60 L	1,3	1	
JID.									
MABLE	T14	150	201	243	1 L	30 L	1,3	5	12
JID.									
MABLE	T1	150	202	242	5 L	60 L	1,3	1	
JID.									
MABLE	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
JID.									
NIC		None	225	None	1 L	5 L	1	5	
OXIDE.									
MABLE	N1, N15, T8.	None	202	242	5 L	60 L	1,3	1	
JID.									
MABLE	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
JID.									
MABLE	T1	150	202	242	5 L	60 L	1,3	1	
JID.									
MABLE	T8	150	202	242	5 L	60 L	1,3	5	12, 40
JID.									
NIC		None	225	None	5 L	10 L	1	5	12, 40
OXIDE.									
NIC		152	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
OSIVE	B2, B6, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	40, 77
ON	T8	None	202	243	5 L	60 L	1,2	1,2	26, 40, 44, 95
AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	27, 34
AWAY OM FOOD.	T1	153	203	241	60 L	220 L	1,2	1,2	34
AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
MABLE	B1, T1	150	203	242	60 L	220 L	1,2	1,2	
JID.									
OSIVE	B2, T8	154	202	242	1 L	30 L	1	1	8, 13, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Anti-freeze liquid, see Flammable liquids, n.o.s..	.....	.....		
	Antimonous chloride, see Antimony trichloride.	.....	.....		
	Antimony compounds, inorganic, n.o.s., *liquid*.	6.1	UN1549	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Antimony compounds, inorganic, n.o.s., *solid*.	6.1	UN1549	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Antimony lactate	6.1	UN1550	III	KEEP AWAY FROM FOOD.
	Antimony pentachloride, liquid	8	UN1730	II	CORROSIVE.
	Antimony pentachloride, solution	8	UN1731	II	CORROSIVE.
	Antimony pentafluoride	8	UN1732	II	CORROSIVE, POISON.
	Antimony potassium tartrate	6.1	UN1551	III	KEEP AWAY FROM FOOD.
	Antimony powder	6.1	UN2871	III	KEEP AWAY FROM FOOD.
	Antimony sulfide and a chlorate, mixtures of.	Forbidden	.....		
	Antimony sulfide, solid, see Antimony compounds, inorganic, n.o.s..	.....	.....		
D	Antimony tribromide, solid	8	NA1549	II	CORROSIVE.
D	Antimony tribromide, solution	8	NA1549	II	CORROSIVE.
	Antimony trichloride, *liquid*	8	UN1733	II	CORROSIVE.
	Antimony trichloride, *solid*	8	UN1733	II	CORROSIVE.
D	Antimony trifluoride, solid	8	NA1549	II	CORROSIVE.
D	Antimony trifluoride solution	8	NA1549	II	CORROSIVE.
	Aqua ammonia, see Ammonia solution, *etc.*	.....	.....		
	Argon, compressed	2.2	UN1006	.....	NONFLAMMABLE GAS.
	Argon, refrigerated liquid (*cryogenic liquid*)	2.2	UN1951	.....	NONFLAMMABLE GAS.
	Arsenic	6.1	UN1558	II	POISON.
	Arsenic acid, liquid	6.1	UN1553	I	POISON.
	Arsenic acid, solid	6.1	UN1554	II	POISON.
	Arsenical dust	6.1	UN1562	II	POISON.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ON		None	201	243	1 L	30 L	1,2	1,2	95
ON		None	202	243	5 L	60 L	1,2	1,2	95
AWAY		153	203	240	60 L	220 L	1,2	1,2	34
OM FOOD.									
ON		None	211	242	5 kg	50 kg	1,2	1,2	95
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
AWAY		153	213	240	100 kg	200 kg	1,2	1,2	34
OM FOOD.									
AWAY		153	213	240	100 kg	200 kg	1,2	1,2	34
OM FOOD.									
OSIVE	B2, T8, T26.	None	202	242	1 L	30 L	1	1	8, 13, 40
OSIVE	B2, T8, T27.	154	202	242	1 L	30 L	1	1	8, 40
OSIVE, SON.	N1, N3, N11, N16, N26, N35, T12, T26.	None	202	243	Forbidden	30 L	1	5	40
AWAY		153	213	240	100 kg	200 kg	1,2	1,2	34
OM FOOD.									
AWAY		153	213	240	100 kg	200 kg	1,2	1,2	34
OM FOOD.									
OSIVE		154	212	240	25 kg	100 kg	1,2	1,2	
OSIVE	B2	154	202	242	1 L	30 L	1	1	
OSIVE	B2	154	202	242	1 L	30 L	1	1	
OSIVE		154	212	240	15 kg	50 kg	1,2	1,2	40
OSIVE		154	212	240	25 kg	25 kg	1,2	1,2	
OSIVE	B2	154	202	242	1 L	30 L	1	1	
LAMMA-GAS.		306	302	314, 315	75 kg	150 kg	1,3	1,3	85
LAMMA-GAS.		320	316	318	50 kg	500 kg	1,3	1	85
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
ON	T18, T27	None	201	243	1 L	30 L	1,2	1,2	95
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
ON		None	212	242	25 kg	100 kg	1,2	1,2	95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Arsenical pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2760	I	FLAMMABLE LIQUID, POISON.
				II	FLAMMABLE LIQUID, POISON.
	Arsenical pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN2993	I	POISON, FLAMMABLE LIQUID.
				II	POISON, FLAMMABLE LIQUID.
				III	KEEP AWAY FROM FOOD.
	Arsenical pesticides, liquid, toxic, n.o.s.	6.1	UN2994	I	POISON
				II	POISON
				III	KEEP AWAY FROM FOOD.
	Arsenical pesticides, solid, toxic, n.o.s.	6.1	UN2759	I	POISON
				II	POISON
				III	KEEP AWAY FROM FOOD.
	Arsenic bromide	6.1	UN1555	II	POISON
	Arsenic chloride, see Arsenic trichloride				
	Arsenic compounds, liquid, n.o.s., *including: Arsenates, n.o.s; Arsenites, n.o.s.; Arsenic sulfides, n.o.s.; Organic compounds of arsenic, n.o.s.; and Arsenic mixtures, n.o.s.*	6.1	UN1556	I	POISON
				II	POISON
				III	KEEP AWAY FROM FOOD.
	Arsenic compounds, solid, n.o.s., *including. Arsenates, n.o.s.; Arsenites, n.o.s.; Arsenic sulfides, n.o.s.; Organic compounds of arsenic, n.o.s.; and Arsenic mixtures, n.o.s.*	6.1	UN1557	I	POISON
				II	POISON
				III	KEEP AWAY FROM FOOD.
	Arsenic pentoxide	6.1	UN1559	II	POISON
D	Arsenic sulfide	6.1	NA1557	II	POISON
	Arsenic sulfide and a chlorate, mixtures of	Forbidden			
	Arsenic trichloride	6.1	UN1560	I	POISON
	Arsenic trioxide	6.1	UN1561	II	POISON
D	Arsenic trisulfide	6.1	NA1557	II	POISON
	Arsenic, white, solid, see Arsenic trioxide				

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(5)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MABLE		None	201	243	Forbidden	30 L	1,3	5	
JID, SON.									
MABLE		None	202	243	1 L	60 L	1,3	1	
JID, SON.									
N,	T42	None	201	243	1 L	30 L	1	1	21, 95
MMABLE JID.									
N,	T14	None	202	243	5 L	60 L	1,2	1	21, 95
MMABLE JID.									
AWAY	B1, T14	153	203	241	60 L	220 L	1,2	1,2	21, 34
M FOOD.									
N	T42	None	201	243	1 L	30 L	1	1	95
N	T14	None	202	243	5 L	60 L	1,2	1	95
AWAY	T14	153	203	241	60 L	220 L	1,2	1,2	34
M FOOD.									
N		None	211	242	5 kg	50 kg	1,2	1,2	95
N		None	212	242	25 kg	100 kg	1,2	1,2	95
AWAY		153	213	240	100 kg	200 kg	1,2	1,2	34
M FOOD.									
N		None	212	242	25 kg	100 kg	1,2	1,2	12, 40, 95
N		None	201	243	1 L	30 L	1,2	1	40, 95
N		None	202	243	5 L	60 L	1,2	1	40, 95
AWAY		153	203	241	60 L	220 L	1,2	1	34, 40
M FOOD.									
N		None	211	242	5 kg	50 kg	1,2	1	95
		None	212	242	25 kg	100 kg	1,2	1,2	95
AWAY		153	213	240	100 kg	200 kg	1,2	1,2	34
M FOOD.									
		None	212	242	25 kg	100 kg	1,2	1,2	95
		None	212	242	25 kg	100 kg	1,2	1,2	95
	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,2	1,2	40, 95
		None	212	242	25 kg	100 kg	1,2	1,2	95
		None	212	242	25 kg	100 kg	1,2	1,2	95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Arsenious acid, solid, see Arsenic trioxide				
	Arsenious and mercuric iodide solution, see Arsenic compounds, liquid, n.o.s.				
	Arsine	2.3	UN2188	I	POISON GAS, FLAMMABLE GAS.
	Articles, explosive, n.o.s.	1.4S	UN0349		
	Articles, explosive, n.o.s.	1.4B	UN0350		
	Articles, explosive, n.o.s.	1.4C	UN0351		
	Articles, explosive, n.o.s.	1.4D	UN0352		
	Articles, explosive, n.o.s.	1.4G	UN0353		
	Articles, explosive, n.o.s.	1.1L	UN0354		
	Articles, explosive, n.o.s.	1.2L	UN0355		
	Articles, explosive, n.o.s.	1.3L	UN0356		
	Articles, pyrophoric	1.2L	UN0380		
	Articles, pyrotechnic *for technical purposes*	1.1G	UN0428		
	Articles, pyrotechnic *for technical purposes*	1.2G	UN0429		
	Articles, pyrotechnic *for technical purposes*	1.3G	UN0430		
	Articles, pyrotechnic *for technical purposes*	1.4G	UN0431		
	Articles, pyrotechnic *for technical purposes*	1.4S	UN0432		
	Asbestos, blue—(*crocidolite*) *or* brown *amosite, mysorite*).	9	UN2212	II	CLASS 9
	Asbestos, white (*chrysolite, actinolite, anthophyllite, tremolite*).	9	UN2590	III	CLASS 9
	Ascaridole (*organic peroxide*)	Forbidden			
D	Asphalt, *at or above its flashpoint*	3	NA1999	III	None
D	Asphalt, cut back, *see* Tars, liquid, *etc.*				
	Auto alarms, see Alarm devices, explosive				
	Automobile, motorcycle, tractor, or other self-propelled vehicle, engine, or other mechanical apparatus. See Vehicles, self-propelled.				
	Azaurolic acid (*salt of*) (*dry*)	Forbidden			
	Azidodithiocarbonic acid	Forbidden			
	Azidoethyl nitrate	Forbidden			
	Azido guanidine picrate (*dry*)	Forbidden			
	5-Azido-1-hydroxy tetrazole	Forbidden			
	Azido hydroxy tetrazole (*mercury and silver salts*).	Forbidden			
	3-Azido-1,2-Propylene glycol dinitrate	Forbidden			
D	Azinphos methyl *liquid*	6.1	NA2783	II	POISON
D	Azinphos methyl *solid*	6.1	NA2783	II	POISON

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
GAS, IABLE	10	None	192	245	Forbidden	Forbidden	1	5	40, 95
		155	216	240	Forbidden	Forbidden	1,2	1,2	
		155	216	240	200 kg	200 kg	1,2	1,2	
		150	203	242	Forbidden	Forbidden	1	5	
		None	202	243	1 L	30 L	1,2	1,2	
		None	212	242	25 kg	100 kg	1,2	1,2	95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	1-Aziridinyl phosphine oxide-(tris), see Tri-(1-aziridinyl) phosphine oxide, solution.	.....	.....		
	2,2'-Azodi-(2,4-dimethyl-4-methoxyvaleronitrile).	4.1	UN2955	II	FLAMMABLE SOLID.
	2,2'-Azodi-(2,4 dimethylvaleronitrile)	4.1	UN2953	II	FLAMMABLE SOLID.
	1,1'-Azodi-(hexahydrobenzonitrile)	4.1	UN2954	II	FLAMMABLE SOLID.
	Azodiisobutyronitrile	4.1	UN2952	II	FLAMMABLE SOLID.
	2,2'-Azodi (2-methyl-butyronitrile)	4.1	UN3030	II	FLAMMABLE SOLID.
	Azotetrazole (dry)	Forbidden	.....		
	Bags, having contained sodium nitrate, empty, unwashed.	4.1	UN1359	III	FLAMMABLE SOLID.
	Barium	4.3	UN1400	II	DANGEROUS WHEN WET.
	Barium alloys	4.3	UN1399	II	DANGEROUS WHEN WET.
	Barium alloys, pyrophoric	4.2	UN1854	II	SPONTANEOUSLY COMBUSTIBLE.
	Barium azide, *dry or wetted with less than 50 per cent water, by weight.*	1.1A	UN0224		
	Barium azide, wetted *with not less than 50 per cent water, by weight.*	4.1	UN1571	I	FLAMMABLE SOLID, POISON.
	Barium bromate	5.1	UN2719	II	OXIDIZER, POISON.
	Barium chlorate	5.1	UN1445	II	OXIDIZER, POISON.
	Barium compounds, n.o.s., *except Barium sulfate.*	6.1	UN1564	I	POISON
	.....	.....	.....	II	POISON
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Barium cyanide	6.1	UN1565	I	POISON
	Barium hypochlorite *with more than 22 per cent available chlorine.*	5.1	UN2741	II	OXIDIZER
	Barium nitrate	5.1	UN1446	II	OXIDIZER, POISON.
	Barium oxide	6.1	UN1884	III	KEEP AWAY FROM FOOD.
	Barium perchlorate	5.1	UN1447	II	OXIDIZER, POISON.

bels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
5)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ABLE		None	214	None	Forbidden	Forbidden	1	5	2
ABLE		None	214	None	Forbidden	Forbidden	1	5	2
ABLE		None	214	None	15 kg	50 kg	1,3	5	25
ABLE		None	214	None	Forbidden	Forbidden	1	5	2
ABLE		None	214	None	Forbidden	Forbidden	1	5	2, 52, 53
ABLE		None	204	246	Forbidden	100 kg	1,3	5	
ROUS I WET.	A19	None	212	241	15 kg	50 kg	1,3	5	
ROUS I WET.	A19	None	212	241	15 kg	50 kg	1,3	5	
ANE-Y BUSTI-		None	181	None	Forbidden	Forbidden	1	5	
ABLE	A2	None	182	None	Forbidden	0.5 kg	1	5	36
R,		None	212	242	5 kg	25 kg	1,2	1,2	34, 46, 56
R,	N13, N34, T8.	None	212	242	5 kg	25 kg	1,2	1,2	46, 56, 95
		None	211	242	5 kg	50 kg	1,2	1,2	95
		None	212	242	25 kg	100 kg	1,2	1,2	95
WAY FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
	N74, N75	None	211	242	5 kg	50 kg	1,2	1,2	26, 40, 95
R	N13, N26, N34.	152	212	None	5 kg	25 kg	1,2	1,2	34
R,		None	212	242	5 kg	25 kg	1,2	1,2	95
WAY FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
R,	T8	None	212	242	5 kg	25 kg	1,2	1,2	46, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	.....	Poison.....
	Barium permanganate	5.1	UN1448	II	OXIDIZER, POISON.
	Barium peroxide.....	5.1	UN1449	II	OXIDIZER, POISON.
	Barium selenate, *see* Selenates *or* Selenites.	.....	.....		
	Barium selenite, *see* Selenates *or* Selenites.	.....	.....		
	Batteries, dry, containing potassium hydroxide solid, *electric, storage.*	8	UN3028	III	CORROSIVE.....
	Batteries, wet, filled with acid, *electric storage.*	8	UN2794	III	CORROSIVE.....
	Batteries, wet, filled with alkali, *electric storage.*	8	UN2795	III	CORROSIVE.....
AW	Batteries, wet, non-spillable, *electric storage.*	8	UN2800	III	CORROSIVE.....
	Battery fluid, acid.....	8	UN2796	II	CORROSIVE.....
	Battery fluid, alkali.....	8	UN2797	II	CORROSIVE.....
	Battery lithium type, see Lithium batteries	.....	.....		
	Benzene	3	UN1114	II	FLAMMABLE LIQUID.
	Benzene diazonium chloride (dry)	Forbidden	.....		
	Benzene diazonium nitrate (dry).....	Forbidden	.....		
	Benzene-1,3-disulfohydrazide, *not more than 52 per cent as a paste.*	4.1	UN2971	II	FLAMMABLE SOLID.
	Benzene phosphorus dichloride, see Phenyl phosphorus dichloride.	.....	.....		
	Benzene phosphorus thiodichloride, see Phenyl phosphorus thiodichloride.	.....	.....		
	Benzene sulfohydrazide	4.1	UN2970	II	FLAMMABLE SOLID.
	Benzene sulfonyl chloride.....	8	UN2225	III	CORROSIVE.....
	Benzenethiol, see Phenyl mercaptan	.....	.....		
	Benzene triozonide	Forbidden	.....		
	Benzidine.....	6.1	UN1885	II	POISON.....
	Benzoic derivative pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2770	I	FLAMMABLE LIQUID, POISON.

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Excep-tions	Non-bulk pack-aging	Bulk packag-ing	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Pas-senger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ZER, SON.		None	212	242	5 kg	25 kg	1,2	1,2	56, 69, 95
ZER, SON.		None	212	2	5 kg	25 kg	1,2	1,2	13, 95
OSIVE		159	159	None	25 kg gross.	230 kg gross.	1,2	1,2	
OSIVE		159	159	None	25 kg gross.	No limit	1,2	1,2	
OSIVE		159	159	None	25 kg gross.	No limit	1,2	1,2	
OSIVE		159	159	None	No Limit	No Limit	1,2	1,2	
OSIVE	B2, B15, N1, N6, N26, N34, T9, T27.	154	202	242	1 L	30 L	1,2	1	33
OSIVE	B2, N6, T8.	154	202	242	1 L	30 L	1,2	1,2	
MABLE ID.	T8	150	202	242	5 L	60 L	1,3	1	40
MABLE ID.		None	214	None	15 kg	50 kg	1,3	1,3	12, 25, 48, 52, 53, 85
MABLE ID.		None	214	None	15 kg	50 kg	1,3	1,3	12, 25, 48, 52, 53, 85
OSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	40
N		None	212	242	25 kg	100 kg	1,2	1,2	95
MABLE ID, SON.		None	201	243	Forbidden	30 L	1,3	5	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
				II	FLAMMABLE LIQUID, POISON.
	Benzoic derivative pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN3003	I	POISON.
				II	POISON.
				III	KEEP AWAY FROM FOOD
	Benzoic derivative pesticides, liquid, toxic, n.o.s..	6.1	UN3004	I	POISON.
				II	POISON.
				III	KEEP AWAY FROM FOOD
	Benzoic derivative pesticides, solid, toxic, n.o.s..	6.1	UN2769	I	POISON.
				II	POISON.
				III	KEEP AWAY FROM FOOD
	Benzol, see Benzene				
	Benzonitrile	6.1	UN2224	II	POISON.
	Benzoquinone	6.1	UN2587	II	POISON.
	Benzotrichloride	8	UN2226	II	CORROSIVE.
	Benzotrifluoride	3	UN2338	II	FLAMMABLE LIQUID.
	Benzoxidiazoles (dry)	Forbidden			
	Benzoyl azide	Forbidden			
	Benzoyl chloride	8	UN1736	II	CORROSIVE.
	Benzoyl peroxide, see Dibenzoyl peroxide, *etc.*.				
	Benzyl bromide	6.1	UN1737	II	POISON, CORROSIVE.
	Benzyl chloride *stabilized*	6.1	UN1738	II	POISON, CORROSIVE.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE QUID, OISON.		None	202	243	1 L	60 L	1,3	1	
SON	T42	None	201	243	1 L	30 L	1	1	21, 40, 95
SON	T18	None	202	243	5 L	60 L	1,2	1	21, 40, 95
P AWAY ROM FOOD.	T18	153	203	241	60 L	220 L	1,2	1,2	21, 34, 40
SON	T42	None	201	243	1 L	30 L	1	1	40, 95
SON	T14	None	202	243	5 L	60 L	1,2	1	40, 95
P AWAY ROM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	40, 34
SON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
SON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
P AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
SON	T14	None	202	243	5 L	60 L	1,2	1,2	26, 40, 95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
RROSIVE	B2, T15	154	202	242	1 L	30 L	1,2	1,2	40
MMABLE QUID.	T2	150	202	242	5 L	60 L	1,3	1	40
RROSIVE	B2, T9, T26.	154	202	242	1 L	30 L	1	1	8, 40
SON, ORROSIVE.	N1, N26, N33, N34, T12, T26.	None	202	243	1 L	30 L	1	5	40
SON, ORROSIVE.	B41, N1, N26, N33, T12, T26.	None	202	243	1 L	30 L	1	5	13, 20, 40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Benzyl chloride *unstabilized*	6.1	UN1738	II	POISON, CORROSIVE
	Benzyl chloroformate	8	UN1739	I	CORROSIVE...
	Benzyl dimethylamine	8	UN2619	II	CORROSIVE...
	4-(Benzyl(ethyl)amino)-3-ethoxybenzenediazonium zinc chloride.	4.1	UN3037	II	FLAMMABLE SOLID.
	Benzylidene chloride	6.1	UN1886	II	POISON.....
	Benzyl iodide	6.1	UN2653	II	POISON.....
	4-(Benzyl(methyl)amino)3-ethoxybenzenediazonium zinc chloride.	4.1	UN3038	II	FLAMMABLE SOLID.
	Beryllium compounds, n.o.s.	6.1	UN1566	II	POISON.....
	Beryllium nitrate	5.1	UN2464	II	OXIDIZER, POISON.
	Beryllium, powder	6.1	UN1567	II	POISON, FLAMMABLE SOLID.
	Bifluorides, n.o.s., *solid*	8	UN1740	II	CORROSIVE...
	Bifluorides, n.o.s., *solution*	8	UN1740	II	CORROSIVE...
	Biphenyl triozonide	Forbidden	.....		
	Bipyridilium pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2782	I	FLAMMABLE LIQUID, POISON.
	.....	.....	.....	II	FLAMMABLE LIQUID, POISON.
	Bipyridilium pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN3015	I	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	II	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	III	KEEP AWAY FROM FOOD
	Bipyridilium pesticides, liquid, toxic, n.o.s.	6.1	UN3016	I	POISON.....
	.....	.....	.....	II	POISON.....

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ISON, CORROSIVE.	B8, B11, N1, N26, N33, N34, T12, T26.	None	202	243	1 L	30 L	1	5	13, 20
RROSIVE	B4, N1, N11, N34, N41, T18, T26.	None	201	242	Forbidden	2.5 L	1	5	40
RROSIVE	B2, T1	154	202	242	1 L	30 L	1,3	1,3	21, 40, 48
AMMABLE OLID.		None	214	None	Forbidden	Forbidden	1	5	2
SON	T8	None	202	243	5 L	60 L	1	5	40, 95
SON	T8	None	202	243	5 L	60 L	1,3	1	12, 40, 95
AMMABLE OLID.		None	214	None	Forbidden	Forbidden	1	5	2
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
DIZER, OISON.		None	212	242	5 kg	25 kg	1,3	1,3	12, 48, 95
SON, LAMMABLE OLID.		None	212	242	15 kg	50 kg	1,2	1,2	24, 95
RROSIVE	N3, N34	None	212	240	15 kg	50 kg	1,2	1,2	25, 26, 40
RROSIVE	N3, N34	None	202	243	1 L	30 L	1,2	1,2	25, 26, 40
AMMABLE QUID, OISON.		None	201	243	Forbidden	30 L	1,3	5	
AMMABLE QUID, OISON.		None	202	243	1 L	60 L	1,3	1	
SON, LAMMABLE QUID.	T42	None	201	243	1 L	30 L	1	1	21, 40, 95
SON, LAMMABLE QUID.	T14	None	202	243	5 L	60 L	1,3	1	21, 40, 95
EP AWAY ROM FOOD.	B1, T14	153	203	242	60 L	220 L	1,3	1,3	21, 34, 40
SON	T42	None	201	243	1 L	30 L	1	1	40, 95
SON	T14	None	202	243	5 L	60 L	1,2	1	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	III	KEEP AWAY FROM FOOD
	Bipyridilium pesticides, solid, toxic, n.o.s.....	6.1	UN2781	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWAY FROM FOOD
	bis (*Aminopropyl*) *piperazine, see* Corrosive liquid, n.o.s..	.....	.....		
	Bisulfites, inorganic, aqueous solutions, n.o.s..	8	UN2693	III	CORROSIVE....
	Black powder (Gunpowder), compressed *or* Black powder (Gunpowder), in pellets.	1.1D	UN0028		
	Black powder (Gunpowder), *granular or as a meal*.	1.1D	UN0027		
	Blasting agent, n.o.s., see Explosives, blasting.	.....	.....		
	Blasting cap assemblies, see Detonator assemblies, non-electric, *for blasting*.	.....	.....		
	Blasting caps, electric, see Detonators, electric *for blasting*.	.....	.....		
	Blasting caps, non-electric, see Detonators, non-electric, *for blasting*.	.....	.....		
	Bleaching powder, see Calcium hypochlorite mixtures, *etc.*.	.....	.....		
	Bombs, photo-flash.....	1.1F	UN0037		
	Bombs, photo-flash.....	1.1D	UN0038		
	Bombs, photo-flash.....	1.2G	UN0039		
	Bombs, photo-flash.....	1.3G	UN0299		
	Bombs, smoke, non-explosive, *with corrosive liquid, without initiating device*.	8	UN2028	II	CORROSIVE....
	Bombs, *with bursting charge*	1.1F	UN0033		
	Bombs, *with bursting charge*	1.1D	UN0034		
	Bombs, *with bursting charge*	1.2D	UN0035		
	Bombs, *with bursting charge*	1.2F	UN0291		
	Bombs with flammable liquid, *with bursting charge*.	1.1J	UN0399		
	Bombs with flammable liquid, *with bursting charge*.	1.2J	UN0400		
	Boosters, with detonator	1.1B	UN0225		
	Boosters, with detonator	1.2B	UN0268		
	Boosters, *without detonator*.....	1.1D	UN0042		
	Boosters, *without detonator*.....	1.2D	UN0283		
	Borate and chlorate mixtures, see Chlorate and borate mixtures.	.....	.....		
	Borneol	4.1	UN1312	III	FLAMMABLE SOLID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Excep-tions	Non-bulk pack-aging	Bulk packag-ing	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Pas-senger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
EP AWAY ROM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
SON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
SON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
EP AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
RROSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	8, 40, 49
RROSIVE		None	160	None	Forbidden	50 kg	1,2	5	40
MMABLE OLID.	A1		213	240	25 kg	100 kg	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Boron tribromide	8	UN2692	I	CORROSIVE AND POISON
	Boron trichloride	2.3	UN1741	II	POISON GAS, CORROSIVE.
	Boron trifluoride	2.3	UN1008	II	POISON GAS
	Boron trifluoride acetic acid complex	8	UN1742	II	CORROSIVE
	Boron trifluoride diethyl etherate	8	UN2604	I	CORROSIVE, FLAMMABLE LIQUID.
	Boron trifluoride dihydrate	8	UN2851	II	CORROSIVE
	Boron trifluoride dimethyl etherate	4.3	UN2965	II	DANGEROUS WHEN WET, CORROSIVE, FLAMMABLE LIQUID.
	Boron trifluoride propionic acid complex	8	UN1743	II	CORROSIVE
	Box toe gum, see Nitrocellulose				
	Brake fluid, *hydraulic*	3	UN1118	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Bromates, inorganic, n.o.s.	5.1	UN1450	II	OXIDIZER
	Bromine *or* Bromine solutions	8	UN1744	I	CORROSIVE, POISON.
	Bromine azide	Forbidden			
	Bromine chloride	2.3	UN2901	I	POISON GAS, CORROSIVE, OXIDIZER.
	Bromine pentafluoride	5.1	UN1745	I	OXIDIZER, POISON, CORROSIVE.
	Bromine trifluoride	5.1	UN1746	I	OXIDIZER, POISON, CORROSIVE.
	Bromoacetic acid, *solid*	8	UN1938	II	CORROSIVE
	Bromoacetic acid, *solution*	8	UN1938	II	CORROSIVE

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ROSIVE ID POISON.	N1, N11, N26, N34, T18, T27.	None	201	243	Forbidden	2.5 L	1	1	12, 34
ON GAS, RROSIVE.	10, B14, B33.	None	304	244	Forbidden	Forbidden	1,3	5	25, 34, 40, 85
ON GAS	B14, B31, 10.	None	302	245	Forbidden	Forbidden	1	5	40, 95
ROSIVE	B2, B6, T9, T27.	154	202	242	1 L	30 L	1,2	1,2	
ROSIVE, AMMABLE QUID.	A19, T8, T26.	None	202	243	0.5 L	2.5 L	1	5	40
ROSIVE	T9, T27	154	212	240	15 kg	50 kg	1,3	1	12, 40
GEROUS HEN WET, RROSIVE, AMMABLE QUID.	A19, T8, T26.	None	202	243	1 L	5 L	1	5	
ROSIVE	B2, T9, T27.	154	202	242	1 L	30 L	1,2	1,2	
MMABLE QUID.	T7, T30	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
IZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
ROSIVE, ISON.	10, B12 N1, N11, N34, T18, T41.	None	227	249	Forbidden	Forbidden	1	5	12
ON GAS, RROSIVE, XIDIZER.	B12, B14, B31, 10.	None	304	244	Forbidden	Forbidden	1	5	31, 40, 95
IZER, ISON, RROSIVE.	B14, B30, 10.	None	228	244	Forbidden	Forbidden	1	5	13, 25, 40, 95
IZER, ISON, RROSIVE.	B14, B32, 10.	None	228	244	Forbidden	Forbidden	1	5	13, 25, 40, 95
ROSIVE	N26, N34, T9.	154	212	240	15 kg	50 kg	1,2	1,2	
ROSIVE	B2, T9	154	202	242	1 L	30 L	1,2	1,2	13

Symbols	Hazardous materials descriptions and proper shipping nos	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Bromoacetone	6.1	UN1569	I	POISON
	Bromoacetyl bromide	8	UN2513	II	CORROSIVE
	Bromobenzene	3	UN2514	III	FLAMMABLE LIQUID.
	Bromobenzyl cyanides, *liquid*	6.1	UN1694	I	POISON
	Bromobenzyl cyanides, *solid*	6.1	UN1694	I	POISON
	2-Bromobutane	3	UN2339	II	FLAMMABLE LIQUID.
	Bromochloromethane	6.1	UN1887	III	KEEP AWAY FROM FOOD.
	4-Bromo-1,2-dinitrobenzene	Forbidden			
	2-Bromoethyl ethyl ether	3	UN2340	II	FLAMMABLE LIQUID.
	Bromoform	6.1	UN2515	III	KEEP AWAY FROM FOOD.
	1-Bromo-3-methylbutane	3	UN2341	III	FLAMMABLE LIQUID.
	Bromomethylpropanes	3	UN2342	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	1-Bromo-3-nitrobenzene (unstable at 56 deg C).	Forbidden			
	2-Bromopentane	3	UN2343	II	FLAMMABLE LIQUID.
	2-Bromopropane	3	UN2344	II	FLAMMABLE LIQUID.
	3-Bromopropyne	3	UN2345	II	FLAMMABLE LIQUID.
	Bromosilane	Forbidden			
	Bromotoluene-alpha, see Benzyl bromide				
	Bromotrifluoroethylene	2.1	UN2419		FLAMMABLE GAS.
	Bromotrifluoromethane (*R-13B1 or H-1301*)	2.1	UN1009		NONFLAMMABLE GAS.
	Brucine	6.1	UN1570	I	POISON
	Bursters, *explosive*	1.1D	UN0043		
	Butadienes, inhibited	2.1	UN1010		FLAMMABLE GAS.
	Butane *or* Butane mixtures *see also* Petroleum gases, liquefied.	2.1	UN1011		FLAMMABLE GAS.
	Butane, butane mixtures and mixtures having similar properties in cartridges each not exceeding 500 grams, see Receptacles, *etc.*.				

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abels (6)	Special provisions (7)	(8) Packaging authorizations (§173.***) Exceptions (8A)	Non-bulk packaging (8B)	Bulk packaging (8C)	(9) Quantity limitations Passenger aircraft or railcar (9A)	Cargo aircraft only (9B)	(10) Vessel stowage requirements Cargo vessel (10A)	Passenger vessel (10B)	Other stowage provisions (10C)
N	B14, B30, 10.	None	193	244	Forbidden	Forbidden	1	5	21, 40, 95
OSIVE	B2, T9, T26.	154	202	242	1 L	30 L	1	1	8
IABLE ID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
N	T18	None	201	243	Forbidden	30 L	1	5	12, 40, 95
N	T18	None	211	241	Forbidden	50 kg	1	5	12, 40
IABLE ID.	T1	150	202	242	5 L	60 L	1,3	1	40
AWAY M FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
IABLE ID.	T7	150	202	242	5 L	60 L	1,3	1	
AWAY M FOOD.	T7	153	203	241	60 L	220 L	1,3	1,3	12, 34, 40
IABLE ID.	T7, T30	150	203	242	60 L	220 L	1,3	1,3	
IABLE ID.	T7, T30	150	202	242	5 L	60 L	1,3	1	
IABLE ID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
IABLE ID.	T1	150	202	242	5 L	60 L	1,3	1	
IABLE ID.	T7	150	202	242	5 L	60 L	1,3	1	40
IABLE ID.	T8	150	202	242	5 L	60 L	1,3	1	40
IABLE	B13	None	304	244	Forbidden	150 kg	1,3	5	40, 85
AMMA-GAS.		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
N		None	212	242	5 kg	50 kg	1,2	1,2	95
IABLE		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
IABLE		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85

Symbols (1)	Hazardous materials descriptions and proper shipping names (2)	Hazard class (3)	Identification numbers (4)	Packing group (5)	Labels (6)
	Butanedione	3	UN2346	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	1,2,4-Butanetriol trinitrate	Forbidden			
	Butanols	3	UN1120	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	tert-Butoxycarbonyl azide	Forbidden			
	Butoxyl	3	UN2708	III	FLAMMABLE LIQUID.
	Butyl acetates	3	UN1123	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Butyl acid phosphate	8	UN1718	III	CORROSIVE.
	Butylacrylate	3	UN2348	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Butyl alcohols, see Butanols				
	n-Butylamine	3	UN1125	II	FLAMMABLE LIQUID.
	N-Butylaniline	6.1	UN2738	II	POISON.
	Butyl benzenes	3	UN2709	III	FLAMMABLE LIQUID.
	n-Butyl bromide	3	UN1126	II	FLAMMABLE LIQUID.
	n-Butyl chloride, see Chlorobutanes				
	sec-Butylchloroformate	6.1	NA2743	I	POISON, CORROSIVE.
	n-Butylchloroformate	6.1	UN2743	I	POISON, CORROSIVE.
	tert-Butyl cumyl peroxide, *technically pure*	5.2	UN2091	II	ORGANIC PEROXIDE.
	tert-Butylcyclohexylchloroformate	6.1	UN2747	III	KEEP AWAY FROM FOOD.
	n-Butyl-4,4-di-(tertbutylperoxy) valerate, *not more than 52 per cent with inert solid.*	5.2	UN2141	II	ORGANIC PEROXIDE.
	n-Butyl-4,4-di-(tertbutylperoxy) valerate, *technically pure.*	5.2	UN2140	II	ORGANIC PEROXIDE.
	Butylene	2.1	UN1012		FLAMMABLE GAS.
	1,2-Butylene oxide, stabilized	3	UN3022	II	FLAMMABLE LIQUID.
	Butyl ethers, see Dibutyl ethers				

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE QUID.	T1	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	T1	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	T1	150	203	241	60 L	220 L	1,3	1,3	
MMABLE QUID.	T1	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	B1, T1	150	202	241	60 L	220 L	1,3	1,3	
ROSIVE	T7	154	203	241	5 L	60 L	1,2	1,2	
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1,3	
MMABLE QUID.	B1, T7, T30.	150	202	241	60 L	220 L	1,3	1,3	
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1	40
ON	T8	None	202	243	5 L	60 L	1,2	1,2	40, 95
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	T1	150	202	242	5 L	60 L	1,3	1	
ON, RROSIVE.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,3	1,3	12, 40, 95
ON, RROSIVE.	10, T18	None	201	243	Forbidden	Forbidden	1,3	1,3	12, 13, 21, 25, 40, 95
ANIC ROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
AWAY OM FOOD.	T8	153	203	241	60 L	220 L	1,3	1,3	12, 13, 25, 34
ANIC ROXIDE.		None	225	None	5 kg	10 kg	1	5	12, 40
ANIC ROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
MMABLE S.		None	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Butyl ethyl ether, see Ethyl butyl ether				
	n-Butyl formate	3	UN1128	II	FLAMMABLE LIQUID.
	tert-Butyl hydroperoxide, more than 90 per cent with water.	Forbidden			
	tert-Butyl hydroperoxide, *more than 72 per cent but not more than 90 per cent with water.*	5.2	UN2084	I	ORGANIC PEROXIDE.
	tert-Butyl hydroperoxide, *not more than 80 per cent in di-tert-butyl peroxide, or* tert-Butyl hydroperoxide, *not more than 80 per cent in di-tert-butyl peroxide and solvent or* tert-Butyl hydroperoxide, *not more than 80 per cent in solvent.*	5.2	UN2092	I	ORGANIC PEROXIDE, FLAMMABLE LIQUID.
	tert-Butyl hydroperoxide, *not more than 72 per cent with water.*	5.2	UN2093	I	ORGANIC PEROXIDE.
	N,n-Butyl imidazole	6.1	UN2690	II	POISON.
	tert-Butyl isocyanate	3	UN2484	I	FLAMMABLE LIQUID, POISON.
	n-Butyl isocyanate	3	UN2485	I	FLAMMABLE LIQUID, POISON.
	Butyl mercaptan	3	UN2347	II	FLAMMABLE LIQUID.
	n-Butyl methacrylate	3	UN2227	III	FLAMMABLE LIQUID.
	Butyl methyl ether	3	UN2350	II	FLAMMABLE LIQUID.
	tert-Butyl monoperoxymaleate, *not more than 55 per cent as a paste.*	5.2	UN2101	II	ORGANIC PEROXIDE.
	tert-Butyl monoperoxymaleate, *not more than 55 per cent in solution.*	5.2	UN2100	II	ORGANIC PEROXIDE.
	tert-Butyl monoperoxymaleate, *technically pure.*	5.2	UN2099	II	ORGANIC PEROXIDE.
	tert-Butyl monoperoxyphthalate, *technically pure.*	5.2	UN2105	II	ORGANIC PEROXIDE.
	Butyl nitrites	3	UN2351	II	FLAMMABLE LIQUID.
	tert-Butyl peroxyacetate, more than 76 per cent in solution.	Forbidden			
	tert-Butyl peroxyacetate, *not more than 76 per cent in solution.*	5.2	UN2095	II	ORGANIC PEROXIDE.
	tert-Butyl peroxyacetate, *not more than 52 per cent in solution.*	5.2	UN2096	II	ORGANIC PEROXIDE.
	tert-Butyl peroxybenzoate, *not more than 50 per cent with inert inorganic solid.*	5.2	UN2890	II	ORGANIC PEROXIDE.
	tert-Butyl peroxybenzoate, *not more than 75 per cent in solution.*	5.2	UN2098	II	ORGANIC PEROXIDE.

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
IABLE ID.	T1	150	202	242	5 L	60 L	1,3	1	
NIC OXIDE.		None	225	None	1 L	5 L	1	5	12, 40
NIC OXIDE, MMABLE ID.		None	225	None	1 L	5 L	1	5	12, 40
IIC OXIDE.	T9, T37	None	225	None	1 L	5 L	1	5	12, 40
N.	T8	None	202	243	5 L	60 L	1,2	1,2	40, 95
ABLE D, ON.	10, B14, B30, N26.	None	227	244	Forbidden	Forbidden	1	5	12, 40, 48
ABLE D, ON.	10, B14, B30, N26.	None	227	244	Forbidden	Forbidden	1	5	12, 40, 48
ABLE D.	N1, N15, T8.	150	202	242	5 L	60 L	1,3	1	
ABLE D.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
ABLE D.	T8	150	202	242	5 L	60 L	1,3	1	
IC OXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
IC OXIDE.		152	225	None	5 L	10 L	1	5	12, 40
IC OXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
IC OXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
ABLE D.	T8	150	202	242	5 L	60 L	1,3	1	40
IC OXIDE.		152	225	None	Forbidden	Forbidden	1	5	12, 40
IC OXIDE.		152	225	None	5 L	10 L	1	5	12, 40
IC OXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
IC OXIDE.		152	225	None	5 L	10 L	1	5	12, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	tert-Butyl peroxybenzoate, *technically pure or* tert-Butyl peroxybenzoate, *more than 75 per cent in solution.*	5.2	UN2097	II	ORGANIC PEROXIDE.
	tert-Butyl peroxycrotonate, *not more than 78 per cent in solution.*	5.2	UN2183	II	ORGANIC PEROXIDE.
	n-Butyl peroxydicarbonate, see Di-n-butyl peroxidicarbonate, *etc..*	.....	.....		
	tert-Butyl peroxydiethylacetate, *not more than 33 per cent,* with tert-Butyl peroxybenzoate, *not more than 33 per cent, and solvent.*	5.2	UN2551	II	ORGANIC PEROXIDE.
	tert-Butyl peroxydiethylacetate, *technically pure.*	5.2	UN2144	II	ORGANIC PEROXIDE.
	tert-Butyl peroxy-2-ethylhexanoate, *not more than 30 per cent* with 2,2-Di(tert-butyl-peroxy) butane, *not more than 35 per cent, with not less than 35 per cent phlegmatizer.*	5.2	UN2886	II	ORGANIC PEROXIDE.
	tert-Butyl peroxy-2-ethylhexanoate, *not more than 50 per cent with phlegmatizer.*	5.2	UN2888	II	ORGANIC PEROXIDE.
	tert-Butyl peroxy-2-ethylhexanoate, *not more than 12 per cent* with 2,2-Di-(tert-butyl-peroxy) butane, *not more than 14 per cent, with not less than 14 per cent phlegmatizer and 60 per cent inert organic solid.*	5.2	UN2887	II	ORGANIC PEROXIDE.
	tert-Butyl peroxy-2-ethylhexanoate, *technically pure.*	5.2	UN2143	II	ORGANIC PEROXIDE.
	tert-Butyl peroxyisobutyrate, *more than 52 per cent but not more than 77 per cent in solution.*	5.2	UN2142	II	ORGANIC PEROXIDE.
	tert-Butyl peroxyisobutyrate, more than 77 per cent in solution.	Forbidden	.....		
	tert-Butyl peroxyisobutyrate, *not more than 52 per cent in solution.*	5.2	UN2562	II	ORGANIC PEROXIDE.
	tert-Butylperoxy isopropyl carbonate, *technically pure.*	5.2	UN2103	II	ORGANIC PEROXIDE.
	tert-Butyl peroxyneodecanoate, *not more than 77 per cent in solution.*	5.2	UN2177	II	ORGANIC PEROXIDE.
	tert-Butyl peroxyneodecanoate, *technically pure.*	5.2	UN2594	II	ORGANIC PEROXIDE.
	3-tert-Butylperoxy-3-phenylphthalide, *technically pure.*	5.2	UN2596	II	ORGANIC PEROXIDE.
	tert-Butyl peroxypivalate, *not more than 77 per cent in solution.*	5.2	UN2110	II	ORGANIC PEROXIDE.
	tert-Butyl peroxypivalate, *not more than 72 per cent in solution.*	5.2	UN3047	II	ORGANIC PEROXIDE.
	tert-Butylperoxy stearyl carbonate, *technically pure.*	5.2	UN3062	II	ORGANIC PEROXIDE.

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Excep-tions	Non-bulk pack-aging	Bulk packag-ing	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Pas-senger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
NIC OXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
NIC OXIDE.		152	225	None	5 L	10 L	1	5	12, 40
NIC OXIDE.		152	225	None	5 L	10 L	1	5	12, 40
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		152	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		152	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		152	225	None	5 kg	10 kg	1	5	12, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	12, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		152	225	None	5 kg	10 kg	1	5	12, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	2, 40
OXIDE.									
NIC		None	225	None	Forbidden	Forbidden	1	5	12, 40
OXIDE.									
NIC		None	225	None	5 kg	10 kg	1	5	
OXIDE.									

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	tert-Butyl peroxy-3,5,5-trimethylhexanoate, *technically pure*.	5.2	UN2104	II	ORGANIC PEROXIDE.
	Butylphenols, liquid	6.1	UN2228	III	KEEP AWAY FROM FOOD
	Butylphenols, solid	6.1	UN2229	III	KEEP AWAY FROM FOOD
	Butyl phosphoric acid, see Butyl acid phosphate.				
	Butylpropionate	3	UN1914	III	FLAMMABLE LIQUID.
	Butyl toluenes	6.1	UN2667	III	KEEP AWAY FROM FOOD
	Butyltrichlorosilane	8	UN1747	II	CORROSIVE.
	5-tert-Butyl-2,4,6-trinitro-m-xylene (Musk xylene).	4.1	UN2956	III	FLAMMABLE SOLID.
	Butyl vinyl ether, inhibited	3	UN2352	II	FLAMMABLE LIQUID.
	1,4-Butynediol	6.1	UN2716	III	FLAMMABLE SOLID.
	Butyraldehyde	3	UN1129	II	FLAMMABLE LIQUID.
	Butyraldoxime	3	UN2840	III	FLAMMABLE LIQUID.
	Butyric acid	8	UN2820	III	CORROSIVE.
	Butyric anhydride	8	UN2739	III	CORROSIVE.
	Butyronitrile	3	UN2411	II	FLAMMABLE LIQUID, POISON.
	Butyryl chloride	3	UN2353	II	FLAMMABLE LIQUID, CORROSIVE
	Cabazide	Forbidden			
	Cacodylic acid	6.1	UN1572	II	POISON.
	Cadmium compounds, *except Cadmium selenide and Cadmium sulfide.*	6.1	UN2570	I	POISON.
				II	POISON.
				III	KEEP AWAY FROM FOOD
	Calcium *or* Calcium alloys	4.3	UN1401	II	DANGEROUS WHEN WET.
	Calcium arsenate	6.1	UN1573	II	POISON.
	Calcium arsenate and calcium arsenite, mixtures, solid.	6.1	UN1574	II	POISON.
D	Calcium arsenite, solid	6.1	NA1574	II	POISON.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
GANIC EROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
EP AWAY ROM FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
EP AWAY ROM FOOD.	T7, T38	153	213	240	100 kg	200 kg	1,2	1,2	34
MMABLE QUID.	T1	150	203	242	60 L	220 L	1,3	1	
EP AWAY ROM FOOD.	T2	153	203	241	60 L	220 L	1,2	1,2	22, 25, 34
RROSIVE	B2, B6, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	21, 40, 77
MMABLE OLID.		None	214	None	Forbidden	Forbidden	1	5	12, 25, 48
MMABLE QUID.	T7	150	202	242	5 L	60 L	1,3	1	40
MMABLE OLID.	A1	None	213	240	100 kg	200 kg	1,2	1	52, 53, 67, 70
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
RROSIVE	T1	154	203	241	5 L	60 L	1,3	1,3	12
RROSIVE	T2	154	203	241	5 L	60 L	1,2	1,2	
MMABLE QUID, OISON.	T14	None	202	243	1 L	60 L	1,3	5	12, 40
MMABLE QUID, ORROSIVE.	T9, T26	None	202	243	1 L	5 L	1	1	13, 25, 40
SON		None	212	242	25 kg	100 kg	1,2	5	26, 95
SON		None	211	242	5 kg	50 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
P AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
IGEROUS HEN WET.		None	212	241	15 kg	50 kg	1,3	5	
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Calcium bisulfite solution, see Bisulfites, inorganic, aqueous solutions, n.o.s..				
	Calcium carbide	4.3	UN1402	II	DANGEROUS WHEN WET.
	Calcium chlorate	5.1	UN1452	II	OXIDIZER
	Calcium chlorate solution	5.1	UN2429	II	OXIDIZER
	Calcium chlorite	5.1	UN1453	II	OXIDIZER
	Calcium cyanamide *with more than 0.1 per cent of calcium carbide.*	4.3	UN1403	III	DANGEROUS WHEN WET.
	Calcium cyanide	6.1	UN1575	I	POISON
	Calcium dithionite *or* Calcium hydrosulfite	4.2	UN1923	II	SPONTANEOUSLY COMBUSTIBLE.
	Calcium hydride	4.3	UN1404	I	DANGEROUS WHEN WET.
	Calcium hydrosulfite, *see* Calcium dithionite..				
	Calcium hypochlorite, dry *or* Calcium hypochlorite mixtures *with more than 39 per cent available chlorine (8.8 per cent available oxygen).*	5.1	UN1748	II	OXIDIZER
	Calcium hypochlorite, hydrated *or* Calcium hypochlorite, hydrated mixtures, *with not less than 5.5 per cent but not more than 10 per cent water.*	5.1	UN2880	II	OXIDIZER
	Calcium hypochlorite mixtures, dry, *with more than 10 per cent but not more than 39 per cent available chlorine.*	5.1	UN2208	III	OXIDIZER
	Calcium manganese silicon	4.3	UN2844	III	DANGEROUS WHEN WET.
	Calcium nitrate	5.1	UN1454	III	OXIDIZER
	Calcium oxide	8	UN1910	III	CORROSIVE
	Calcium perchlorate	5.1	UN1455	II	OXIDIZER
	Calcium permanganate	5.1	UN1456	II	OXIDIZER
	Calcium peroxide	5.1	UN1457	II	OXIDIZER
	Calcium phosphide	4.3	UN1360	I	DANGEROUS WHEN WET.
	Calcium, pyrophoric *or* Calcium alloys, pyrophoric.	4.2	UN1855	II	SPONTANEOUSLY COMBUSTIBLE.
	Calcium resinate	4.1	UN1313	III	FLAMMABLE SOLID.
	Calcium resinate, fused	4.1	UN1314	III	FLAMMABLE SOLID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
GEROUS HEN WET.	A1, N2, N34.	None	212	241	15 kg	50 kg	1,3	1,3	32
IZER	B10, N16, N34.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
IZER	A2, N34, N41, T8.	152	202	242	1 L	5 L	1,2	1	46, 56
IZER	B10, N13, N34.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
GEROUS HEN WET.	A1, A19	None	213	241	25 kg	100 kg	1,3	1,3	
ON	N79, N80	None	211	242	5 kg	50 kg	1,2	1,2	26, 40, 95
NTANE-SLY MBUSTI-E.	A19, A20	None	212	241	15 kg	50 kg	1,3	5	13
GEROUS HEN WET.	A19	None	211	242	Forbidden	15 kg	1,3	5	
IZER	N13, N26, N34.	152	212	None	5 kg	25 kg	1,3	5	48, 56
IZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	50
IZER	A1, A29, N34.	152	213	240	25 kg	100 kg	1,2	1,2	
GEROUS HEN WET.	A1, A19	None	213	241	25 kg	100 kg	1,3	1,3	
IZER	T2	152	213	240	25 kg	100 kg	1,2	1,2	
ROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
IZER	B10, T8	152	212	240	5 kg	25 kg	1,2	1,2	46
IZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	56, 69
IZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	13
GEROUS HEN WET.	A19, N2	None	211	242	Forbidden	15 kg	1,2	5	40, 85
NTANE-SLY MBUSTI-E.		None	187	None	Forbidden	Forbidden	1	5	
MABLE LID.	A1, A19		213	240	25 kg	100 kg	1,3	1,3	
MABLE LID.	A1, A19		213	240	25 kg	100 kg	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Calcium selenate, *see* Selenates *or* selenites.				
	Calcium silicide	4.3	UN1405	II	DANGEROUS WHEN WET.
	Calcium silicon	4.3	UN1406	III	DANGEROUS WHEN WET.
	Camphor oil	3	UN1130	III	FLAMMABLE LIQUID.
	Camphor, *synthetic*	4.1	UN2717	III	FLAMMABLE SOLID.
	Cannon primers, see Primers, tubular				
	Caproic acid	8	UN2829	III	CORROSIVE.
	Capryloyl peroxide, see n-Octanoyl peroxide.				
	Caps, blasting, see Detonators, *etc.*				
	Caps, toy (*Amorces*)	1.4S			
	Carbamate pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2758	I	FLAMMABLE LIQUID, POISON.
				II	FLAMMABLE LIQUID, POISON.
	Carbamate pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN2991	I	POISON, FLAMMABLE LIQUID.
				II	POISON, FLAMMABLE LIQUID.
				III	KEEP AWAY FROM FOOD.
	Carbamate pesticides, liquid, toxic, n.o.s.	6.1	UN2992	I	POISON.
				II	POISON.
				III	KEEP AWAY FROM FOOD.
	Carbamate pesticides, solid, toxic, n.o.s.	6.1	UN2757	I	POISON.
				II	POISON.
				III	KEEP AWAY FROM FOOD.
	Carbolic acid, see Phenol, solid *or* Phenol, molten.				
	Carbolic acid solutions, see Phenol solutions.				
I	Carbon, activated	4.2	UN1362	III	SPONTANEOUSLY COMBUSTIBLE.
I	Carbon, *animal or vegetable origin*	4.2	UN1361	III	SPONTANEOUSLY COMBUSTIBLE.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
GEROUS EN WET.	A19	None	212	241	15 kg	50 kg	1,3	1,3	
GEROUS EN WET.	A1, A19	None	213	241	25 kg	100 kg	1,3	1,3	
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE LID.	A1		213	240	25 kg	100 kg	1,3	1,3	
ROSIVE	T1	154	203	241	5 L	60 L	1,2	1,2	
MABLE UID, SON.		None	201	243	Forbidden	30 L	1,3	5	
MABLE UID, SON.		None	202	243	1 L	60 L	1,3	1	
ON, MMABLE UID.	T42	None	201	243	1 L	30 L	1	1	21, 40, 95
ON, MMABLE UID.	T14	None	202	243	5 L	60 L	1,2	1	21, 40, 95
AWAY OM FOOD.	B1, T14	153	203	242	60 L	220 L	1,2	1,2	21, 34, 40
ON	T42	None	201	243	1 L	30 L	1	1	40, 95
ON	T14	None	202	243	5 L	60 L	1,2	1	40, 95
AWAY OM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
ON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
ON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
TANE-SLY MBUSTI-E.		None	213	241	Forbidden	Forbidden	1,3	1,3	12
TANE-SLY MBUSTI-E.		None	213	241	Forbidden	Forbidden	1,3	1,3	12

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Carbon bisulfide, see Carbon disulfide				
	Carbon dioxide	2.2	UN1013		NONFLAMMABLE GAS.
	Carbon dioxide and ethylene oxide mixtures *with more than 6 per cent ethylene oxide.*	2.3	UN1041	III	POISON GAS, FLAMMABLE GAS.
	Carbon dioxide and ethylene oxide mixtures *with not more than 6 per cent ethylene oxide.*	2.2	UN1952		NONFLAMMABLE GAS.
	Carbon dioxide and nitrous oxide mixtures	2.2	UN1015		NONFLAMMABLE GAS.
	Carbon dioxide and oxygen mixtures	2.2	UN1014		NONFLAMMABLE GAS.
	Carbon dioxide, refrigerated liquid	2.2	UN2187		NONFLAMMABLE GAS.
AW	Carbon dioxide, solid (Dry ice)	9	UN1845	III	CLASS 9
	Carbon disulfide	3	UN1131	I	FLAMMABLE LIQUID, POISON.
	Carbon monoxide	2.3	UN1016	III	POISON GAS, FLAMMABLE GAS.
	Carbon monoxide and hydrogen mixture	2.3	UN2600	III	POISON GAS, FLAMMABLE GAS.
D	Carbon monoxide, cryogenic liquid	2.3	NA9202	III	POISON GAS, FLAMMABLE GAS.
	Carbon tetrabromide	6.1	UN2516	III	KEEP AWAY FROM FOOD.
	Carbon tetrachloride	6.1	UN1846	II	POISON
	Carbonyl chloride, see Phosgene				
	Carbonyl fluoride	2.3	UN2417	I	POISON GAS
	Carbonyl sulfide	2.3	UN2204	II	POISON GAS, FLAMMABLE GAS.
	Cartridge cases, empty primed, see Cases, cartridge, empty, with primer.				
	Cartridges, actuating, for aircraft ejector seat catapult, fire extinguisher, canopy removal or apparatus, see Cartridges, power device.				
	Cartridges, explosive, see Charges, demolition.				
	Cartridges, flash	1.1G	UN0049		
	Cartridges, flash	1.3G	UN0050		
	Cartridges for weapons, blank	1.1C	UN0326		
	Cartridges for weapons, blank	1.3C	UN0327		
	Cartridges for weapons, blank	1.4C	UN0338		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE GAS.	B13	306	302, 304	244	75 kg	150 kg	1,3	1,3	85
ON GAS, AMMABLE S.	B13, B14, B33, 10.	306	304	244	Forbidden	Forbidden	1,3	1	40, 85, 95
FLAMMABLE GAS.	B13	None	304	244	75 kg	150 kg	1,3	1	85
FLAMMABLE GAS.	B13	306	304	244	75 kg	150 kg	1,3	1,3	85
FLAMMABLE GAS.	B13	306	304	244	75 kg	150 kg	1,3	1,3	85
FLAMMABLE GAS.	B43	306	None	314, 315	50 kg	500 kg	1,3	1,3	85
S 9	B12	217	217	240	200 kg	200 kg	1	1	40
MABLE UID, SON.	B16, T18, T26, T29.	None	201	243	Forbidden	Forbidden	1	5	12, 18, 40
ON GAS, AMMABLE S.	B13, B14, B33, 10.	None	302	244	Forbidden	Forbidden	1	5	40, 95
ON GAS, AMMABLE S.	B13, B14, B33, 10.	None	302	244	Forbidden	Forbidden	1	5	40, 95
ON GAS, AMMABLE S.	10	None	316	318	Forbidden	Forbidden	1	5	
AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	25, 34
ON	N36, T8	None	202	243	5 L	60 L	1,2	1,2	40, 95
ON GAS	B13, B14, B31, 10.	None	302	244	Forbidden	Forbidden	1	5	40, 95
ON GAS, AMMABLE S.	B13, B14, B31, 10.	None	304	244	Forbidden	Forbidden	1	5	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Cartridges for weapons, blank	1.2C	UN0413		
	Cartridges for weapons, blank (Cartridges, safety, blank).	1.4S	UN0014		
	Cartridges for weapons (Cartridges, safety), *other than blank.*	1.4S	UN0012		
	Cartridges for weapons, inert projectile	1.2C	UN0328		
	Cartridges for weapons, inert projectile	1.4C	UN0339		
	Cartridges for weapons, inert projectile	1.3C	UN0417		
	Cartridges for weapons, *with bursting charge.*	1.1F	UN0005		
	Cartridges for weapons, *with bursting charge.*	1.2F	UN0007		
	Cartridges for weapons, *with bursting charge.*	1.4F	UN0348		
	Cartridges for weapons, *with bursting charge.*	1.4E	UN0412		
	Cartridges for weapons, *with bursting charge (projectiles with propelling charge).*	1.1E	UN0006		
	Cartridges for weapons, *with bursting charge (projectiles with propelling charge).*	1.2E	UN0321		
	Cartridges, oil well	1.3C	UN0277		
	Cartridges, oil well	1.4C	UN0278		
	Cartridges, power device	1.3C	UN0275		
	Cartridges, power device	1.4C	UN0276		
	Cartridges, power device	1.2C	UN0381		
	Cartridges, power device (Cartridges, safety).	1.4S	UN0323		
	Cartridges, safety, *see* Cartridges for weapons, *other than blank or* Cartridges, power device (*UN 0323*).				
	Cartridges, safety, blank, *see* Cartridges for weapons, blank (*UN 0014*).				
	Cartridges, signal	1.3G	UN0054		
	Cartridges, signal	1.4G	UN0312		
	Cartridges, signal	1.4S	UN0405		
	Cartridges, sporting, see Cartridges for weapons, *other than blank.*				
	Cartridges, starter, jet engine, see Cartridges, power device.				
	Cases, cartridge, empty with primer	1.4S	UN0055		
	Cases, cartridges, empty with primer	1.4C	UN0379		
	Cases, combustible, empty, without primer	1.3	UN0447		
	Cases, combustible, empty, without primer	1.4	UN0446		
	Casinghead gasoline see Natural gasoline				
AW	Castor beans *or* Castor meal *or* Castor pomace *or* Castor flake.	9	UN2969	II	CLASS 9
	Caustic alkali liquids, n.o.s.	8	UN1719	II	CORROSIVE

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ASS 9		155	204	240	No limit	No limit	1,2	5	34, 40, 44
RROSIVE	B2, T14	154	202	242	1 L	30 L	1,2	1,2	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Caustic potash, see Potassium hydroxide *etc.*.				
	Caustic soda, (etc.) see Sodium hydroxide *etc.*.				
	Celluloid, *in blocks, rods, rolls, sheets, tubes, etc. (except scrap)*.	4.1	UN2000	III	FLAMMABLE SOLID.
	Celluloid, scrap	4.2	UN2002	III	SPONTANEOUSLY COMBUSTIBLE.
	Cement, see Adhesives *containing flammable liquid*.				
	Cerium, crude	4.1	UN1333	II	FLAMMABLE SOLID.
	Cerium, crude, *compact form*	4.1	UN1333	III	FLAMMABLE SOLID.
	Cesium	4.3	UN1407	I	DANGEROUS WHEN WET.
	Cesium hydroxide	8	UN2682	II	CORROSIVE.
	Cesium hydroxide solution	8	UN2681	II	CORROSIVE.
	Cesium nitrate	5.1	UN1451	III	OXIDIZER.
D	Charcoal *briquettes, shell, screenings, wood, etc.*.	4.2	NA1361	III	FLAMMABLE SOLID.
D	Charged well casing jet perforating gun (*total explosive contents in guns 20 pounds or more per motor vehicle*).	1.1D	NA0059		
D	Charged well casing jet perforating gun (*total explosive contents in guns not exceeding 20 pounds per motor vehicle or special offshore down hole tool pallet*).	1.4D	NA0440		
	Charges, demolition	1.1D	UN0048		
	Charges, depth	1.1D	UN0056		
	Charges, expelling, explosive, for fire extinguishers, see Cartridges, power device.				
	Charges, explosive, commercial *without detonator*.	1.1D	UN0442		
	Charges, explosive, commercial *without detonator*.	1.2D	UN0443		
	Charges, explosive, commercial *without detonator*.	1.4D	UN0444		
	Charges, explosive, commercial *without detonator*.	1.4S	UN0445		
	Charges, propelling for cannon	1.2C	UN0414		
	Charges, propelling, for cannon	1.3C	UN0242		
	Charges, propelling, for cannon	1.1C	UN0279		
	Charges, propelling, for rocket motors	1.1C	UN0271		
	Charges, propelling, for rocket motors	1.3C	UN0272		
	Charges, propelling, for rocket motors	1.2C	UN0415		
	Charges, propelling, for rocket motors, *composite mixture*.	1.1C	UN0273		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE LID.		None	213	240	25 kg	100 kg	1,3	1,3	
NTANE-USLY OMBUSTI-E.		None	213	241	Forbidden	Forbidden	1	5	
MMABLE LID.	N34	None	212	240	15 kg	50 kg	1,3	5	65, 74
MMABLE LID.	A1	None	213	240	25 kg	100 kg	1,3	1,3	65, 74
GEROUS HEN WET.	A19, A22, N34.	None	211	242	Forbidden	15 kg	1	5	
ROSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
ROSIVE	B2, T8	154	202	242	1 L	30 L	1,2	1,2	
IZER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	
MMABLE LID.	B10	151	213	240	25 kg	100 kg	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Charges, propelling, for rocket motors, *composite mixture.*	1.3C	UN0274		
	Charges, propelling, for rocket motors, *composite mixture.*	1.2C	UN0416		
	Charges, shaped, commercial *without detonator.*	1.2D	UN0439		
	Charges, shaped, commercial *without detonator.*	1.4D	UN0440		
	Charges, shaped, commercial *without detonator.*	1.4S	UN0441		
	Charges, shaped, commercial *without detonator.*	1.2D	UN0439		
	Charges, shaped, commercial, *without detonator.*	1.1D	UN0059		
	Charges, shaped, flexible, linear, *metal clad.*	1.4D	UN0237		
	Charges, shaped, flexible, linear, *metal clad.*	1.1D	UN0288		
	Charges, supplementary explosive	1.1D	UN0060		
D	Chemical kit	8	NA1760	II	CORROSIVE
	Chemical kits (*must be classified and labelled according to the hazard class of the constituent(s)*).				
	Chloracetophenone (*CN*), *solid*	6.1	UN1697	II	POISON
	Chloral, anhydrous, inhibited	6.1	UN2075	II	POISON
	Chlorate and borate mixtures	5.1	UN1458	II	OXIDIZER
	Chlorate and magnesium chloride mixtures	5.1	UN1459	II	OXIDIZER
	Chlorate of potash, see Potassium chlorate				
	Chlorate of soda, see Sodium chlorate				
	Chlorates, inorganic, n.o.s.	5.1	UN1461	II	OXIDIZER
	Chloric acid solution, *with not more than 10 per cent chloric acid.*	5.1	UN2626	I	OXIDIZER
	Chloride of phosphorus, see Phosphorus trichloride.				
	Chloride of sulfur, see Sulfur chloride				
	Chlorinated lime, see Calcium hypochlorite mixtures, *etc.*				
	Chlorine	2.3	UN1017	I	POISON GAS

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ROSIVE		154	161	None	1 L	1 L	1,3	1,3	
SON	10, N1, N12, N16, N17, N32, N33, N34.	None	212	None	Forbidden	100 kg	1	5	12, 40, 95
SON	T14	None	212	243	25 kg	100 kg	1	5	40, 95
DIZER	B10, N13, N34.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
DIZER	B10, N13, N34, T8.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
DIZER	B10, N13, N34.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
DIZER	T25	None	229	243	Forbidden	Forbidden	1	5	46, 56
SON GAS	10, B14,	None	304	314, 315	Forbidden	Forbidden	1	5	40, 51, 55, 62, 68, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Chlorine azide	Forbidden			
D	Chlorine dioxide hydrate, frozen	5.1	NA9191	II	OXIDIZER, POISON.
	Chlorine dioxide (not hydrate)	Forbidden			
	Chlorine pentafluoride	2.3	UN2548	I	POISON GAS, OXIDIZER, CORROSIVE.
	Chlorine trifluoride	2.3	UN1749	I	POISON GAS, OXIDIZER, CORROSIVE.
	Chlorites, inorganic, n.o.s.	5.1	UN1462	II	OXIDIZER
	Chloroacetaldehyde	6.1	UN2232	II	POISON
	Chloroacetic acid, liquid	8	UN1750	I	CORROSIVE, POISON.
	Chloroacetic acid, solid	8	UN1751	II	CORROSIVE
	Chloroacetone, stabilized	6.1	UN1695	I	POISON
	Chloroacetone (unstabilized)	Forbidden			
	Chloroacetonitrile	6.1	UN2668	I	POISON
	Chloroacetophenone (*CN*), *liquid*	6.1	UN1697	I	POISON
	Chloroacetyl chloride	8	UN1752	II	CORROSIVE
	Chloroanilines, liquid	6.1	UN2019	II	POISON
	Chloroanilines, solid	6.1	UN2018	II	POISON

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
IZER, ISON.		None	229	None	Forbidden	Forbidden	5	5	
ON GAS, IDIZER, RROSIVE.	10	None	304	245	Forbidden	Forbidden	1	5	31, 40, 95
ON GAS, IDIZER, RROSIVE.	10, B7	None	304	245	Forbidden	Forbidden	1,3	5	34, 40, 95
IZER	N26, N34, T8.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
ON	T17	None	202	243	5 L	60 L	1	5	40, 95
ROSIVE, ISON.	B8, B14, B32, N26, N34, 10.	None	227	244	Forbidden	Forbidden	1,2	1,2	40
ROSIVE	N1, N26, N34.	None	212	242	15 kg	50 kg	1,2	1,2	40
ON	10, B14, B30, N12, N32, N34.	None	227	244	Forbidden	Forbidden	1	5	40, 95
ON	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,3	1,3	12, 21, 25, 26, 40, 95
ON	B14, B30, N1, N12, N16, N17, N32, N33, 10.	None	226	244	Forbidden	Forbidden	1	5	12, 40, 95
ROSIVE	B2, B8, N1, N11, N26, N34, T9, T26.	None	202	242	Forbidden	Forbidden	1	5	40
ON	T14	None	202	243	5 L	60 L	1,2	1,2	95
ON	T14, T38	None	212	242	25 kg	100 kg	1,2	1,2	95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	Special provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Chloroanisidines	6.1	UN2233	III	KEEP AWAY FROM FOOD.	
	Chlorobenzene	3	UN1134	III	FLAMMABLE LIQUID.	T1
	Chlorobenzol, see Chlorobenzene					
	Chlorobenzotrifluorides	3	UN2234	III	FLAMMABLE LIQUID.	B1, T
	p-Chlorobenzoyl peroxide, *see* Di-4-chlorobenzoyl peroxide, *etc.*.					
	Chlorobenzylchlorides	6.1	UN2235	III	KEEP AWAY FROM FOOD.	T8
	1-Chloro-3-bromopropane	6.1	UN2688	III	KEEP AWAY FROM FOOD.	T2
	Chlorobutanes	3	UN1127	II	FLAMMABLE LIQUID.	T8
	Chlorocresols (*liquids*)	6.1	UN2669	II	POISON	T8
	Chlorocresols (*solid*)	6.1	UN2669	II	POISON	
	3-Chloro-4-diethylaminobenzenediazonium zinc chloride.	4.1	UN3033	II	FLAMMABLE SOLID.	
	Chlorodifluorobromomethane	2.2	UN1974		NONFLAMMABLE GAS.	
	1-Chloro-1,1-difluoroethane, see Chlorodifluoroethanes.					
	Chlorodifluoroethanes *or* Difluorochloroethanes.	2.1	UN2517		FLAMMABLE GAS.	B51
	Chlorodifluoromethane (*F-22*)	2.2	UN1018		NONFLAMMABLE GAS.	B51
	Chlorodifluoromethane and chloropentafluoroethane mixture *with fixed boiling point, with approximately 49 per cent chlorodifluoromethane.*	2.2	UN1973		NONFLAMMABLE GAS.	
	Chlorodinitrobenzene	6.1	UN1577	II	POISON	T14
	Chloroform	6.1	UN1888	II	POISON	N36,
	Chloroformates, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN2742	II	POISON, CORROSIVE, FLAMMABLE LIQUID.	
	Chloromethylchloroformate	6.1	UN2745	II	POISON, CORROSIVE.	T18
	Chloromethyl ethyl ether	3	UN2354	II	FLAMMABLE LIQUID, POISON.	T8
	3-Chloro-4-methylphenylisocyanate	6.1	UN2236	II	POISON	
	Chloronitroanilines	6.1	UN2237	III	KEEP AWAY FROM FOOD.	
	Chloronitrobenzene, *ortho, liquid*	6.1	UN1578	II	POISON	T14
	Chloronitrobenzenes *meta or para, solid*	6.1	UN1578	II	POISON	T14

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
		153	213	240	100 kg	200 kg	1,2	1,2	34
OD.									
E	T1	150	203	241	60 L	220 L	1,3	1	
E	B1, T1	150	203	242	60 L	220 L	1,3	1,3	40
	T8	153	203	241	60 L	220 L	1,2	1,2	34
OD.	T2	153	203	241	60 L	220 L	1,2	1,2	34
OD. E	T8	150	202	242	5 L	60 L	1,3	1	
	T8	None	202	243	5 L	60 L	1,3	1,3	12, 95
		None	212	242	25 kg	100 kg	1,3	1,3	12, 40, 95
E		None	214	None	15 kg	50 kg	1	1	25
A-		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
E	B51	306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
A-	B51	306	304	314, 315	75 kg	150 kg	1,3	1,3	85
A-		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
	T14	None	212	242	25 kg	100 kg	1,2	1,2	95
	N36, T14	None	202	243	5 L	60 L	1,2	1,2	40, 95
VE, LE		None	202	243	1 L	30 L	1,3	1,3	12, 13, 22, 25, 40, 95
VE.	T18	None	202	243	1 L	30 L	1,3	1,3	12, 13, 23, 25, 40, 95
E	T8	None	202	243	1 L	60 L	1,3	5	12, 40
		None	202	243	5 L	60 L	1,2	1,2	25, 40, 95
OD.		153	213	240	100 kg	200 kg	1,2	1,2	26, 34
	T14	None	202	243	5 L	60 L	1,2	1,2	95
	T14	None	212	242	25 kg	100 kg	1,2	1,2	95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	
(1)	(2)	(3)	(4)	(5)	(6)	
	Chloronitrotoluenes, *liquid*	6.1	UN2433	III	KEEP AWAY FROM FOOD.	
	Chloronitrotoluenes, *solid*	6.1	UN2433	III	KEEP AWAY FROM FOOD.	
	Chloropentafluoroethane (*R-115*)	2.2	UN1020		NONFLAMMABLE GAS.	B
	3-Chloroperoxybenzoic acid, *not more than 86 per cent with 3-chlorobenzoic acid.*	5.2	UN2755	I	ORGANIC PEROXIDE.	
	3-Chloroperoxybenzoic acid, *not more than 57 per cent with water and 3-Chlorobenzoic acid.*	5.2	UN3081	I	ORGANIC PEROXIDE.	
	Chlorophenates, liquid	8	UN2904	III	CORROSIVE	
	Chlorophenates, solid	8	UN2905	III	CORROSIVE	
	Chlorophenols, liquid	6.1	UN2021	III	KEEP AWAY FROM FOOD.	T
	Chlorophenols, solid	6.1	UN2020	III	KEEP AWAY FROM FOOD.	T
	Chlorophenyl trichlorosilane	8	UN1753	II	CORROSIVE	B
	Chloropicrin	6.1	UN1580	I	POISON	1
	Chloropicrin and methyl bromide mixtures	2.3	UN1581	I	POISON GAS	B
	Chloropicrin and methyl chloride mixtures	2.3	UN1582	I	POISON GAS	B
	Chloropicrin mixture, flammable (pressure not exceeding 14.7 psia at 115 degrees F flash point below 100 deg F) see Poisonous liquids, flammable, n.o.s..					
	Chloropicrin mixtures, n.o.s.	6.1	UN1583	I	POISON	B
				II	POISON	
	Chloropivaloyl chloride	6.1	NA2810	I	POISON	B
	Chloroplatinic acid, solid	8	UN2507	III	CORROSIVE	
	Chloroprene, inhibited	3	UN1991	I	FLAMMABLE HIQUID, POISON.	T
	Chloroprene, uninhibited	Forbidden				
	2-Chloropropane	3	UN2356	I	FLAMMABLE LIQUID.	N
	3-Chloropropanol-1	6.1	UN2849	III	KEEP AWAY FROM FOOD.	T

s	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AY FOOD.		153	203	241	60 L	220 L	1,2	1,2	34
AY FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
MMA- AS.	B51	306	304	314, 315	75 kg	150 kg	1,3	1,3	85
IDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
IDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
IVE		154	203	241	5 L	60 L	1,2	1,2	
IVE		154	213	240	25 kg	100 kg	1,2	1,2	
AY FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
AY FOOD.	T7	153	213	240	100 kg	200 kg	1,2	1,2	34
IVE	B2, B6, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	40
	10, B7, B14, B32, B46.	None	227	244	Forbidden	Forbidden	1	5	40, 95
GAS	B13, B14, B31, 10.	None	193	244	Forbidden	Forbidden	1	5	25, 40, 95
GAS	B13, B14, B31, 10.	None	193	244	Forbidden	Forbidden	1	5	25, 40, 95
	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1	1	40, 95
		None	201	243	Forbidden	Forbidden	1	1	40, 95
	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,2	1	20, 40, 95
IVE		154	213	240	25 kg	100 kg	1,2	1,2	
BLE	T15	None	201	243	Forbidden	30 L	1,3	1	12, 40
N.									
BLE	N15, N36, T14.	150	201	243	1 L	30 L	1,3	5	12
AY FOOD.	T8	153	203	241	60 L	220 L	1,2	1,2	34

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	2-Chloropropene	3	UN2456	I	FLAMMABLE LIQUID.
	alpha-Chloropropionic acid	8	UN2511	III	CORROSIVE
	2-Chloropyridine	6.1	UN2822	II	POISON
	Chlorosilanes, n.o.s.	8	UN2987	II	CORROSIVE
	Chlorosilanes, n.o.s., *flash point less than 23 degrees C.*	3	UN2985	I	FLAMMABLE LIQUID, CORROSIVE.
	Chlorosilanes, n.o.s., *flash point not less than 23 degrees C.*	8	UN2986	II	CORROSIVE, FLAMMABLE LIQUID.
	Chlorosilanes, n.o.s., *which in contact with water emit flammable gas.*	4.3	UN2988	I	DANGEROUS WHEN WET, FLAMMABLE LIQUID, CORROSIVE.
	Chlorosulfonic acid (*with or without sulfur trioxide*).	8	UN1754	I	CORROSIVE
	Chlorotetrafluoroethane (*R-124*)	2.2	UN1021		NONFLAMMABLE GAS.
	Chlorotoluenes	3	UN2238	III	FLAMMABLE LIQUID.
	4-Chloro-o-toluidine hydrochloride	6.1	UN1579	III	KEEP AWAY FROM FOOD.
	Chlorotoluidines *liquid*	6.1	UN2239	III	KEEP AWAY FROM FOOD.
	Chlorotoluidines *solid*	6.1	UN2239	III	KEEP AWAY FROM FOOD.
	Chlorotrifluoroethane	2.2	UN1983		NONFLAMMABLE GAS.
	Chlorotrifluoromethane (*R-13*)	2.2	UN1022		NONFLAMMABLE GAS.
	Chlorotrifluoromethane and trifluoromethane azeotropic mixture *with approximately 60 per cent chlorotrifluoromethane.*	2.2	UN2599		NONFLAMMABLE GAS.
D	Chromic acid, solid	5.1	NA1463	II	OXIDIZER, CORROSIVE.
	Chromic acid solution	8	UN1755	II	CORROSIVE
	Chromic anhydride, see Chromium trioxide, anhydrous.				
	Chromic fluoride, solid	8	UN1756	II	CORROSIVE
	Chromic fluoride, solution	8	UN1757	II	CORROSIVE
	Chromium nitrate	5.1	UN2720	III	OXIDIZER

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
IABLE ID.	N1, N15, N36, T14.	150	201	243	1 L	30 L	1,3	5	12
OSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	8
N	T14	None	202	243	5 L	60 L	1,2	1,2	40, 95
OSIVE	B2	154	202	242	1 L	30 L	1	1	40, 77
IABLE ID, ROSIVE.		None	201	243	0.5 L	2.5 L	1,3	5	40
OSIVE, MMABLE ID.		None	202	243	1 L	30 L	1	1	23, 40
EROUS N WET, MMABLE ID, ROSIVE.	A2	None	201	244	Forbidden	1 L	1	5	40
OSIVE	B4, N1, N11, N35, T12, T27.	None	201	242	.5 L	2.5 L	1	1	80, 33, 40
AMMA-GAS.	B51	306	304	314, 315	75 kg	150 kg	1,3	1,3	85
IABLE ID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
AWAY M FOOD.		153	213	241	100 kg	200 kg	1,2	1,2	34
AWAY M FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
		153							
AWAY M FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
AMMA-GAS.		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
AMMA-GAS.		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
AMMA-GAS.		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
ER, ROSIVE.	B10	None	212	240	5 kg	25 kg	1,2	1,2	
OSIVE	B2, T9, T27.	154	202	242	1 L	30 L	1	1	40
OSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
OSIVE	B2, T8	154	202	242	1 L	30 L	1,2	1,2	
ER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	
(1)	(2)	(3)	(4)	(5)	(6)	
	Chromium oxychloride	8	UN1758	I	CORROSIVE	
	Chromium trioxide, anhydrous	5.1	UN1463	II	OXIDIZER, CORROSIVE.	
	Chromosulfuric acid	8	UN2240	I	CORROSIVE	
	Chromyl chloride, see Chromium oxychloride.					
	Cigar and cigarette lighter fluid, see Lighter fluids.					
	Cigar and cigarette lighters, charged with fuel, see Lighters for cigars, cigarettes, *etc.*.					
	Cigarettes, self-lighting	4.1	UN1867	III	FLAMMABLE SOLID.	
	Coal briquettes, hot	Forbidden				
	Coal gas	2.3	UN1023	II	POISON GAS, FLAMMABLE GAS.	
	Coal tar distillates, flammable	3	UN1136	I	FLAMMABLE LIQUID.	
				II	FLAMMABLE LIQUID.	
				III	FLAMMABLE LIQUID.	
	Coal tar dye, corrosive, liquid, n.o.s, see Dyes, n.o.s. *or* Dye intermediates, n.o.s., *corrosive.*					
	Coating solution	3	UN1139	II	FLAMMABLE LIQUID.	
				III	FLAMMABLE LIQUID.	
	Cobalt naphthenates, powder	4.1	UN2001	III	FLAMMABLE SOLID.	
	Cobalt resinate, precipitated	4.1	UN1318	III	FLAMMABLE SOLID.	
	Cocculus	6.1	UN1584	II	POISON	
	Coke, hot	Forbidden				
	Collodion, see Nitrocellulose *etc.*					

...els	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
...)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
...SIVE	B4, N1, N11, N26, N34, T12, T26.	None	201	242	0.5 L	2.5 L	1	1	80, 40
...R, OSIVE.	B10	None	212	240	5 kg	25 kg	1,2	1,2	34, 65
...SIVE	B4, B6, N1, N11, N26, N34, T12, T27.	None	201	242	0.5 L	2.5 L	1,2	1	80, 9, 40
...ABLE .		None	213	None	Forbidden	Forbidden	1,3	1,3	13
...GAS, MABLE	B38, 10	None	302	245	Forbidden	Forbidden	1	5	40, 95
...ABLE D.	T8	150	201	243	1 L	30 L	1,3	5	
...ABLE D.	T7, T30	150	202	242	5 L	60 L	1,3	1	
...ABLE D.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
...ABLE D.	T7, T30	150	202	242	5 L	60 L	1,3	1	
...ABLE D.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
...ABLE .	A19	151	213	240	25 kg	100 kg	1,3	1,3	
...ABLE D.	A1, A19	151	213	240	25 kg	100 kg	1,3	1,3	
		None	212	242	25 kg	100 kg	1,2	1,2	95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
D	Combustible liquid, n.o.s.	3	NA1993	III	None
	Components, explosive train, n.o.s.	1.2B	UN0382		
	Components, explosive train, n.o.s.	1.4B	UN0383		
	Components, explosive train, n.o.s.	1.4S	UN0384		
	Composition B, see Hexolite, *etc.*				
	Compounds, cleaning liquid, corrosive, see Corrosive liquids, n.o.s..				
	Compounds, cleaning liquid, flammable, see Flammable liquid preparations, *etc.*.				
	Compressed *or* Liquefied gases, flammable, n.o.s..	2.1	UN1954		FLAMMABLE GAS.
	Compressed *or* Liquefied gases, flammable, toxic, n.o.s. *LC50 less than or equal to 1000 ppm.*	2.3	UN1953	I	POISON GAS, FLAMMABLE GAS.
	Compressed *or* Liquefied gases, n.o.s.	2.2	UN1956		NONFLAMMABLE GAS.
	Compressed *or* Liquefied gases, toxic, n.o.s. *LC50 less than or equal to 200 ppm.*	2.3	UN1955	I	POISON GAS
	Compressed *or* liquefied gases, flammable, toxic, n.o.s. *LC50 over 1000 up to 5000 ppm.*	2.3	UN1953	II	POISON GAS, FLAMMABLE GAS.
	Compressed *or* liquefied gases, toxic, n.o.s. *LC50 over 200 up to 5000 ppm.*	2.3	UN1955	II	POISON GAS
D	Consumer commodity	ORM-D	None	III	None
	Contrivances, water-activated, *with burster, expelling charge or propelling charge.*	1.2L	UN0248		
	Contrivances, water-activated, *with burster, expelling charge or propelling charge.*	1.3L	UN0249		
	Copper acetoarsenite	6.1	UN1585	II	POISON
	Copper acetylide	Forbidden			
	Copper amine azide	Forbidden			
	Copper arsenite	6.1	UN1586	II	POISON
	Copper based pesticides, liquid, flammable, toxic n.o.s., *flash point less than 23 degrees C.*	3	UN2776	I	FLAMMABLE LIQUID, POISON.
				II	FLAMMABLE LIQUID, POISON.
	Copper based pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C*	6.1	UN3009	I	POISON, FLAMMABLE LIQUID.

	Special provisions	(6) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
.....	.....	150	203	241	60 L.....	220 L.....	1,3.....	1,3. ...	
ABLE	B13.....	306	302, 304, 305	244	Forbidden	150 kg.....	1.....	5.....	40
GAS, MABLE	10	None	302, 304, 305	245	Forbidden	Forbidden	1.....	5.....	40, 95
MMA-AS.	B13...	306, 307	302, 304, 305	244	75 kg.....	150 kg.....	1,3.....	1,3.....	85
GAS	10	None	302, 304, 305	245	Forbidden	Forbidden	1.....	5.....	40, 95
GAS, MABLE	B14, B38, 10.	None	302, 304, 305	244	Forbidden	Forbidden	1.....	5	40
GAS	B14, B35. 10.	None	302, 304, 305	244	Forbidden	Forbidden	1.....	5.....	40
.....	.....	156, 306	156, 306	None	65 lb gross ..	65 lb gross ..	1,2.....	1,2.....	
.....	.....	None	212	242	25 kg.....	100 kg.....	1,2.....	1,2.....	95
.....	.....	None	212	242	25 kg.....	100 kg.....	1,2.....	1,2.....	95
BLE	.....	None	201	243	Forbidden	30 L.....	1,3.....	1	
), N.									
BLE	.....	None	202	243	1 L.....	60 L.....	1,3.....	1	
), N.									
MABLE).	T42.....	None	201	243	1 L.....	30 L.....	1.....	1	21, 40. 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	II	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	III	KEEP AWAY FROM FOOD FLAMMABLE LIQUID.
	Copper based pesticides, liquid, toxic, n.o.s..	6.1	UN3010	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Copper based pesticides, solid, toxic, n.o.s...	6.1	UN2775	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Copper chlorate.....	5.1	UN2721	II	OXIDIZER .....
	Copper chloride.....	8	UN2802	III	CORROSIVE.....
	Copper cyanide.....	6.1	UN1587	II	POISON.....
	Copper selenate, *see* Selenates *or* Selenites.	.....	.....		
	Copper selenite, *see* Selenates *or* Selenites.	.....	.....		
	Copper tetramine nitrate.....	Forbidden	.....		
AW	Copra	4.2	UN1363	III	None.....
	Cord, detonating, *flexible*.....	1.1D	UN0065		
	Cord, detonating, *flexible*.....	1.4D	UN0289		
	Cordeau detonant fuse, see Cord (Fuse), detonating, *etc.;* Cord, detonating, *flexible*.	.....	.....		
	Cord (Fuse), detonating, *metal clad*.....	1.2D	UN0102		
	Cord (Fuse), detonating, *metal clad*.....	1.1D	UN0290		
	Cord (Fuse), detonating, mild effect *metal clad*.	1.4D	UN0104		
	Cord, igniter.....	1.4G	UN0066		
	Cordite, see Powder, smokeless.....	.....	.....		
	Corrosive liquids, flammable, n.o.s.....	8	UN2920	I	CORROSIVE, FLAMMABLE LIQUID.
	.....	.....	.....	II	CORROSIVE, FLAMMABLE LIQUID.
	Corrosive liquids, n.o.s.....	8	UN1760	I	CORROSIVE.....
	.....	.....	.....	II	CORROSIVE.....

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ON, AMMABLE QUID.	T14	None	202	243	5 L	60 L	1,2	1	21, 40, 95
P AWAY OM FOOD, AMMABLE QUID.	B1	153	203	241	60 L	220 L	1,2	1,2	21, 34, 40
ON	T42	None	201	243	1 L	30 L	1	1	40, 95
ON	T14	None	202	243	5 L	60 L	1,2	1	40, 95
P AWAY OM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
ON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
ON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
P AWAY		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
OM FOOD.									
IZER	A1, B10	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
ROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
ON		None	204	242	25 kg	100 kg	1,2	1,2	26, 95
		None	213	241	Forbidden	Forbidden	1,3	1,3	13, 19
ROSIVE, AMMABLE QUID.	B4, N1, N11, N34, T42.	None	201	243	0.5 L	2.5 L	1	1	12, 21, 25
ROSIVE, AMMABLE QUID.	B2, T15, T26.	None	202	243	1 L	30 L	1	1	12, 21, 25
ROSIVE	B4, N1, N11, N26, N34, T42.	None	201	242	0.5 L	2.5 L	1,2	1	40
ROSIVE	B2, T14	154	202	242	1 L	30 L	1,2	1	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
				III	CORROSIVE.
	Corrosive liquids, poisonous, n.o.s.	8	UN2922	I	CORROSIVE, POISON.
				II	CORROSIVE, POISON.
				III	CORROSIVE.
	Corrosive solids, flammable, n.o.s.	8	UN2921	I	CORROSIVE, FLAMMABLE SOLID.
				II	CORROSIVE, FLAMMABLE SOLID.
	Corrosive solids, n.o.s.	8	UN1759	I	CORROSIVE.
				II	CORROSIVE.
				III	CORROSIVE.
	Corrosive solids, oxidizing, n.o.s.	8	UN3084	I	CORROSIVE, OXIDIZER.
				II	CORROSIVE, OXIDIZER.
	Corrosive solids, poisonous, n.o.s.	8	UN2923	I	CORROSIVE, POISON.
				II	CORROSIVE, POISON.
				III	CORROSIVE.
DW	Cotton	9	NA1365	III	CLASS 9
I	Cotton waste, oily	4.2	UN1364	III	SPONTANEOUSLY COMBUSTIBLE.
AIW	Cotton, wet	4.2	UN1365	III	SPONTANEOUSLY COMBUSTIBLE.
	Coumarin derivative pesticides, liquid, flammable, toxic, n.o.s. *flashpoint less than 23 deg C.*	3	UN3024	I	FLAMMABLE LIQUID, POISON.
				II	FLAMMABLE LIQUID, POISON.
	Coumarin derivative pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 deg C.*	6.1	UN3025	I	POISON, FLAMMABLE LIQUID.
				II	POISON, FLAMMABLE LIQUID.
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
IOSIVE	T7	154	203	240	5 L	60 L	1,2	1,2	40
IOSIVE, SON.	N1, N11, N34.	None	201	243	0.5 L	2.5 L	1,2	1	40
IOSIVE, SON.		None	202	243	1 L	30 L	1,2	1,2	40
IOSIVE		154	203	241	5 L	60 L	1,2	1,2	40
IOSIVE, MMABLE LID.		None	211	242	1 kg	25 kg	1,3	1	12, 25
IOSIVE, MMABLE LID.		None	212	242	15 kg	50 kg	1,3	1	12, 25
IOSIVE		None	211	240	1 kg	25 kg	1,2	1	
IOSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
IOSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
IOSIVE, DIZER.		None	211	240	1 kg	25 kg	1,2	1	
IOSIVE, DIZER.		None	212	240	15 kg	50 kg	1,2	1	
IOSIVE, SON.		None	211	242	1 kg	25 kg	1,2	1	13, 40
IOSIVE, SON.		None	212	240	15 kg	50 kg	1,2	1	40
IOSIVE		154	213	240	25 kg	100 kg	1,2	1	40
S 9		155	None	240	No limit	No limit	1,2	1,2	
TANEOU-		None	213	None	Forbidden	Forbidden	1,3	1,3	13, 54, 64
MBUSTI-									
TANE- GLY MBUSTI-		None	213	241	Forbidden	Forbidden	1,3	1,3	13
MABLE UID, SON.		None	201	243	Forbidden	30 L	1,3	5	
MABLE UID, SON.		None	202	243	1 L	60 L	1,3	1	
ON, MMABLE UID.		None	201	243	1 L	30 L	1	1	21, 40, 95
ON, MMABLE UID.		None	202	243	5 L	60 L	1,2	1	21, 40, 95
AWAY OM FOOD, MMABLE UID.	B1	153	203	241	60 L	220 L	1,2	1,2	21, 34, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Coumarin derivative pesticides, liquid, toxic, n.o.s..	6.1	UN3026	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOOD
	Coumarin derivative pesticides, solid, toxic, n.o.s..	6.1	UN3027	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOOD
D	Creosote, coal tar	3	NA1993	III	FLAMMABLE LIQUID.
	Cresols (*o-,m-,p-*)	6.1	UN2076	II	POISON.
	Cresylic acid	6.1	UN2022	II	POISON.
	Crotonaldehyde, stabilized	3	UN1143	I	FLAMMABLE LIQUID, POISON.
	Crotonic acid, *liquid*	8	UN2823	III	CORROSIVE.
	Crotonic acid, *solid*	8	UN2823	III	CORROSIVE.
	Crotonylene	3	UN1144	I	FLAMMABLE LIQUID.
	Cumene hydroperoxide, *see* Cumyl hydroperoxide.	.....	.....		
	Cumyl hydroperoxide (Cumene hydroperoxide), *technically pure.*	5.2	UN2116	I	ORGANIC PEROXIDE.
	Cumyl peroxyneodecanoate, *not more than 77 per cent in solution.*	5.2	UN2963	II	ORGANIC PEROXIDE.
	Cumyl peroxypivalate, *not more than 77 per cent in solution.*	5.2	UN2964	II	ORGANIC PEROXIDE.
	Cupriethylenediamine solution	8	UN1761	II	CORROSIVE, POISON.
	Cutters, cable, explosive	1.4S	UN0070		
	Cyanide or cyanide mixtures, dry, see Cyanides, inorganic, n.o.s..	.....	.....		
	Cyanides, inorganic, n.o.s.	6.1	UN1588	I	POISON.
	.....	.....	.....	II	POISON.
	Cyanide solutions	6.1	UN1935	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOOD
	Cyanogen bromide	6.1	UN1889	I	POISON, CORROSIVE.
	Cyanogen chloride	2.3	UN1589	I	POISON GAS, FLAMMABLE GAS.

Labels	Special provisions	(8) Packaging authorizations (§173 ***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
SON		None	201	243	1 L	30 L	1	1	40, 95
SON		None	202	243	5 L	60 L	1,2	1	40, 95
P AWAY ROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34, 40
SON		None	211	242	5 kg	50 kg	1,2	1,2	
SON		None	212	242	25 kg	100 kg	1,2	1,2	
P AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	
MMABLE QUID.		150	203	241	60 L	220 L	1,3	1,3	
SON	T8	None	202	243	5 L	60 L	1,2	1,2	95
SON	T8	None	202	243	5 L	60 L	1,2	1,2	
MMABLE QUID, OISON.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,3	1	
RROSIVE		154	203	240	5 L	60 L	1,3	1,3	12
RROSIVE		154	213	240	25 kg	100 kg	1,3	1,3	12
MMABLE QUID.	T20	150	201	243	1 L	30 L	1,3	5	12
GANIC EROXIDE.	B17, B22, T25.	None	225	243	1 L	5 L	1	5	12, 40
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
RROSIVE, OISON.	T8, T26	154	202	243	1 L	30 L	1,2	1,2	
SON	N74, N75	None	211	242	5 kg	50 kg	1,2	1,2	26, 95
SON	N74, N75	None	212	242	25 kg	100 kg	1,2	1,2	26, 95
SON	B37, T18, T26.	None	201	243	1 L	30 L	1,2	1,2	26, 40, 95
SON	T18, T26	None	202	243	5 L	60 L	1,2	1,2	26, 40
P AWAY ROM FOOD.	T18, T26	153	203	241	60 L	220 L	1,2	1,2	26, 40
SON, ORROSIVE.	B14, B30, N2, N11, 10.	None	211	244	Forbidden	Forbidden	1	5	20, 25, 40, 95
SON GAS, LAMMABLE AS.	10	None	192	245	Forbidden	Forbidden	1	5	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Cyanogen, liquefied	2.3	UN1026	I	POISON GAS, FLAMMABLE GAS.
	Cyanuric chloride	8	UN2670	III	CORROSIVE
	Cyanuric triazide	Forbidden			
	Cyclobutane	2.1	UN2601		FLAMMABLE GAS.
	Cyclobutylchloroformate	6.1	UN2744	II	POISON, CORROSIVE.
	1,5,9-Cyclododecatriene	6.1	UN2518	III	KEEP AWAY FROM FOOD.
	Cycloheptane	3	UN2241	II	FLAMMABLE LIQUID.
	Cycloheptatriene	3	UN2603	II	FLAMMABLE LIQUID, POISON.
	Cycloheptene	3	UN2242	II	FLAMMABLE LIQUID.
	Cyclohexane	3	UN1145	II	FLAMMABLE LIQUID.
	Cyclohexanone	3	UN1915	III	FLAMMABLE LIQUID.
	Cyclohexanone peroxide(s) *(1-Hydroxy-1'-hydroperoxy dicyclohexyl peroxide, technically pure, or 1-Hydroxy-1'-hydroperoxy dicyclohexyl peroxide and Di-(1-hydroxy cyclohexyl) peroxide mixtures), more than 90 per cent with water with not more than 9 percent available oxygen.*	5.2	UN2117	I	ORGANIC PEROXIDE.
	Cyclohexanone peroxide(s) *(1-Hydroxy-1')hydroperoxy dicyclohexyl peroxide, technically pure, or 1-Hydroxy-1'-hydroperoxy dicyclohexyl peroxide and Di-(1-hydroxy cyclohexyl) peroxide mixtures), not more than 90 per cent with water with not more than 9 percent available oxygen.*	5.2	UN2119	I	ORGANIC PEROXIDE.
	Cyclohexanone peroxide(s), *not more than 72 per cent as a paste with not more than 9 per cent available oxygen.*	5.2	UN2896	II	ORGANIC PEROXIDE.
	Cyclohexanone peroxide(s), *not more than 72 per cent in solution wih not more than 9 per cent available oxygen.*	5.2	UN2118	I	ORGANIC PEROXIDE.
	Cyclohexene	3	UN2256	II	FLAMMABLE LIQUID.

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abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
N GAS, MMABLE	10	None	192	245	Forbidden	Forbidden	1	5	34, 40
OSIVE		None	213	240	25 kg	100 kg	1,3	1,3	12, 40
MABLE		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
N, ROSIVE.	T18	None	202	243	1 L	30 L	1,3	1,3	12, 13, 23, 25, 40, 95
AWAY M FOOD.	T7	153	203	241	60 L	220 L	1,2	5	34, 40
MABLE ID.	T1	None	202	242	5 L	60 L	1,3	1	40
MABLE ID, SON.	T14	None	202	243	1 L	60 L	1,3	5	12, 40
MABLE ID.	T7	150	202	241	5 L	60 L	1,3	1	
MABLE ID.	T8	150	202	242	5 L	60 L	1,3	5	12
MABLE ID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
NIC OXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
NIC OXIDE.		None	225	None	1 kg	5 kg	1	5	12, 40
NIC OXIDE.		152	225	None	1 kg	5 kg	1	5	12, 40
NIC OXIDE.		None	225	None	1 kg	5 kg	1	5	12, 40
MABLE ID.	T7	150	202	242	5 L	60 L	1,3	1	12

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Cyclohexenyltrichlorosilane	8	UN1762	II	CORROSIVE.
	Cyclohexyl acetate	3	UN2243	III	FLAMMABLE LIQUID.
	Cyclohexylamine	8	UN2357	II	CORROSIVE, FLAMMABLE LIQUID.
	Cyclohexyl isocyanate	6.1	UN2488	I	POISON.
	Cyclohexyl mercaptan	3	UN3054	III	FLAMMABLE LIQUID.
	Cyclohexyltrichlorosilane	8	UN1763	II	CORROSIVE.
	Cyclonite, *see* Cyclotrimethylenetrinitramine, *etc.*.				
	Cyclooctadiene phosphines, *see* 9-Phosphabicyclononanes.				
	Cyclooctadienes	3	UN2520	III	FLAMMABLE LIQUID.
	Cyclooctatetraene	3	UN2358	II	FLAMMABLE LIQUID.
	Cyclopentane	3	UN1146	II	FLAMMABLE LIQUID.
	Cyclopentane, methyl, see Methyl cyclopentane.				
	Cyclopentanol	3	UN2244	III	FLAMMABLE LIQUID.
	Cyclopentanone	3	UN2245	III	FLAMMABLE LIQUID.
	Cyclopentene	3	UN2246	II	FLAMMABLE LIQUID.
	Cyclopropane, liquified	2.1	UN1027		FLAMMABLE GAS.
	Cyclotetramethylene tetranitramine (dry or unphlegmatized) (HMX).	Forbidden			
	Cyclotetramethylenetetranitramine (HMX; Octogen), wetted *with not less than 15 per cent water, by weight, or* Cyclotetramethylenetetranitramine (HMX; Octogen) desensitized *with not less than 10 per cent phlegmatizer, by weight.*	1.1D	UN0226		

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
OSIVE	B2, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	40
IABLE ID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
OSIVE, MMABLE ID.	T8, T26	None	202	243	1 L	30 L	1,3	1,3	
N	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1	5	21, 25, 40, 95
IABLE ID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
OSIVE	B2, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	40
ABLE ID.	T1	150	203	242	60 L	220 L	1,3	1,3	
ABLE D.	T8	150	202	242	5 L	60 L	1,3	1	
ABLE D.	T14	150	202	242	5 L	60 L	1,3	5	12
ABLE D.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
ABLE D.	T1	150	203	242	60 L	220 L	1,3	1,3	
ABLE D.	T13	150	202	242	5 L	60 L	1,3	5	12
ABLE	B13	306	304	244	Forbidden	150 kg	1,3	1	40, 85

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Cyclotrimethylenetrinitramine (Cyclonite; Hexogen; RDX), and Cyclotetramethylenetetranitramine (HMX; Octogen) mixtures, wetted *with not less than 15 per cent water, by weight, or* Cyclotrimethylenetrinitramine (Cyclonite; Hexogen; RDX) and Cyclotetramethylenetetranitramine (HMX; Octogen) mixtures desensitized *with not less than 10 per cent phlegmatizer, by weight.*	1.1D	UN0391		
	Cyclotrimethylenetrinitramine (Cyclonite; Hexogen; RDX) wetted *with not less than 15 per cent water, by weight, or* Cyclotrimethylenetrinitramine (Cyclonite; Hexogen; RDX) desensitized *with not less than 10 per cent phlegmatizer, by weight.*	1.1D	UN0072		
	Cymenes	3	UN2046	III	FLAMMABLE LIQUID.
	Decaborane	4.1	UN1868	II	FLAMMABLE SOLID, POISON.
	Decahydronaphthalene	3	UN1147	III	FLAMMABLE LIQUID.
	n-Decane	3	UN2247	III	FLAMMABLE LIQUID.
	Decanoyl peroxide, *see* Didecanoyl peroxide, *technically pure.*				
	Deflagrating metal salts of aromatic nitroderivatives, n.o.s.	1.3C	UN0132		
	Delay electric igniter, see Igniters				
D	Denatured alcohol	3	NA1986	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Depth charges, see Charges, depth				
	Detonating relays, see Detonators, *etc.*				
	Detonator assemblies, non-electric *for blasting.*	1.1B	UN0360		
	Detonator assemblies, non-electric, *for blasting.*	1.4B	UN0361		
	Detonators, electric, *for blasting*	1.1B	UN0030		
	Detonators, electric, *for blasting*	1.4B	UN0255		
	Detonators for ammunition	1.1B	UN0073		
	Detonators for ammunition	1.2B	UN0364		
	Detonators for ammunition	1.4B	UN0365		
	Detonators for ammunition	1.4S	UN0366		
	Detonators, non-electric, *for blasting*	1.1B	UN0029		
	Detonators, non-electric, *for blasting*	1.4B	UN0267		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
AMMABLE SOLID, POISON.	A19, A20	None	212	None	Forbidden	50 kg	1,3	1,3	
AMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1,3	40
AMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
AMMABLE LIQUID.		150	202	242	5 L	60 L	1,3	1	
AMMABLE LIQUID.	B1	150	203	242	60 L	220 L	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Deuterium	2.1	UN1957	.....	FLAMMABLE GAS.
	Diacetone alcohol	3	UN1148	II	FLAMMABLE LIQUID.
	.....	.....	.....	III	FLAMMABLE LIQUID.
	Diacetone alcohol peroxides, more than 57% in solution with more than 9% hydrogen peroxide, less than 26% diacetone alcohol and less than 9% water; total active oxygen content more than 9% by weight.	Forbidden	.....		
	Diacetone alcohol peroxides, *not more than 57 per cent in solution with not more than 9 per cent hydrogen peroxide, not less than 26 per cent diacetone alcohol and not less than 9 per cent water, total active oxygen content not more than 9 per cent.*	5.2	UN2163	I	ORGANIC PEROXIDE
	Diacetyl, see Butanedione	.....	.....		
	Diacetyl peroxide (Acetyl peroxide), *not more than 27 per cent in solution (dimethyl phthalate or other approved phlegmatizer).*	5.2	UN2084	I	ORGANIC PEROXIDE
	Diacetyl peroxide, solid, or more than 25% in solution.	Forbidden	.....		
	Diallylamine	3	UN2359	II	FLAMMABLE LIQUID.
	Diallylether	3	UN2360	II	FLAMMABLE LIQUID, POISON.
	4,4'-Diaminodiphenyl methane	6.1	UN2651	III	KEEP AWAY FROM FO
	Di-n-amylamine	6.1	UN2841	III	KEEP AWAY FROM FO
	p-Diazidobenzene	Forbidden	.....		
	1,2-Diazidoethane	Forbidden	.....		
	1,1'-Diazoaminonaphthalene	Forbidden	.....		
	Diazoaminotetrazole (dry)	Forbidden	.....		
	Diazodinitrophenol (dry)	Forbidden	.....		
	Diazodinitrophenol, wetted *with not less than 40 per cent water, by weight, or mixture of alcohol and water.*	1.1A	UN0074		
	Diazodiphenylmethane	Forbidden	.....		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Excep-tions	Non-bulk pack-aging	Bulk packag-ing	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Pas-senger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
LAMMABLE GAS.	B13	306	302	244	Forbidden	150 kg	1,3	5	40, 85
LAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
LAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
LAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	40
LAMMABLE LIQUID, POISON.	N12, T8	None	202	243	1 L	60 L	1,3	5	12, 40
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
EEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1	1,3	12, 40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	2-Diazo-1-naphthol-4-sulpho-chloride	4.1	UN3042	II	FLAMMABLE SOLID.
	2-Diazo-1-naphthol-5-sulpho-chloride	4.1	UN3043	II	FLAMMABLE SOLID.
	Diazonium nitrates (dry)	Forbidden			
	Diazonium perchlorates (dry)	Forbidden			
	1,3-Diazopropane	Forbidden			
	Dibenzoyl peroxide (Benzoyl peroxide), *more than 77 per cent but less than 95 per cent with water.*	5.2	UN2088	I	ORGANIC PEROXIDE
	Dibenzoyl peroxide (Benzoyl peroxide), *not less than 30 per cent but not more than 52 per cent with inert solid.*	5.2	UN2089	II	ORGANIC PEROXIDE
	Dibenzoyl peroxide (Benzoyl peroxide), *not more than 72 per cent as a paste.*	5.2	UN2087	II	ORGANIC PEROXIDE
	Dibenzoyl peroxide (Benzoyl peroxide),*not more than 77 per cent with water.*	5.2	UN2090	II	ORGANIC PEROXIDE
	Dibenzoyl peroxide (Benzoyl peroxide), *technically pure, or* Dibenzoyl peroxide (Benzoyl peroxide), *more than 52 per cent with inert solid.*	5.2	UN2085	I	ORGANIC PEROXIDE
	Dibenzyldichlorosilane	8	UN2434	II	CORROSIVE.
	Dibenzyl peroxydicarbonate, more than 87 per cent with water.	Forbidden			
	Dibenzyl peroxydicarbonate, *not more than 87 per cent with water.*	5.2	UN2149	I	ORGANIC PEROXIDE
	Diborane	2.3	UN1911	I	POISON GAS FLAMMABL GAS.
D	Diborane mixtures	2.3	NA1911	I	POISON GAS FLAMMABL GAS.
	Dibromoacetylene	Forbidden			
	Dibromobenzene	3	UN2711	III	FLAMMABLE LIQUID.
	1,2-Dibromobutan-3-one	6.1	UN2648	II	POISON.
	Dibromochloropropane	6.1	UN2872	III	KEEP AWAY FROM FOO
A	Dibromodifluoromethane	9	UN1941	III	CLASS 9
	1,2-Dibromoethane, see Ethylene dibromide.				
	Dibromomethane	6.1	UN2664	III	KEEP AWAY FROM FOO

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
LAMMABLE SOLID.		None	212	None	Forbidden	Forbidden	1	5	25
LAMMABLE SOLID.		None	212	None	Forbidden	Forbidden	1	5	25
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
RGANIC PEROXIDE.		152	225	None	10 kg	25 kg	1	5	12, 40
RGANIC PEROXIDE.		152	225	None	10 kg	25 kg	1	5	12, 40
RGANIC PEROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
ORROSIVE	B2, T8, T26.	154	202	242	1 L	30 L	1	1	40
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
OISON GAS, FLAMMABLE GAS.	10	None	302	245	Forbidden	Forbidden	1	5	40, 57, 74, 95
OISON GAS, FLAMMABLE GAS.	B35, 10	None	302	245	Forbidden	Forbidden	1	5	40, 57, 74, 95
LAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
OISON		None	202	243	5 L	60 L	1,2	1	40, 95
EEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
LASS 9	T13	155	203	241	100 L	220 L	1,2	1,2	25, 34
EEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Di-(n-butyl)amine	8	UN2248	II	CORROSIVE, FLAMMABL LIQUID.
	Dibutylaminoethanol	6.1	UN2873	III	KEEP AWAY FROM FOO
	Di-(4-tert-butylcyclohexyl) peroxydicarbonate, *not more than 42 per cent, stable dispersion, in water.*	5.2	UN2894	II	ORGANIC PEROXIDE.
	Di-(4-tert-butylcyclohexyl) peroxydicarbonate, *technically pure.*	5.2	UN2154	II	ORGANIC PEROXIDE.
	Dibutyl ethers	3	UN1149	III	FLAMMABLE LIQUID.
	Di-tert-butyl peroxide (tert-Butyl-peroxide), *technically pure.*	5.2	UN2102	II	ORGANIC PEROXIDE, FLAMMABL LIQUID.
	2,2-Di-(tert-butylperoxy) butane, more than 55 per cent in solution.	Forbidden	.....		
	2,2-Di-(tert-butylperoxy) butane, *not more than 55 per cent in solution.*	5.2	UN2111	II	ORGANIC PEROXIDE.
	1,1-Di-(tert-butylperoxy) cyclohexane, *not more than 40 per cent with inert inorganic solid with not less than 13 per cent in phlegmatizer.*	5.2	UN2885	II	ORGANIC PEROXIDE.
	1,1-Di-(tert-butylperoxy) cyclohexane, *not more than 50 per cent with phlegmatizer.*	5.2	UN2897	II	ORGANIC PEROXIDE.
	1,1-Di-(tertbutyl peroxy) cyclohexane *not more than 27% in solution with not less than 36% diluent type A and not less than 36% diluent type B.*	5.2	UN3069	II	ORGANIC PEROXIDE.
	1,1-Di-(tert-butylperoxy) cyclohexane, *not more than 77 per cent in solution.*	5.2	UN2180	II	ORGANIC PEROXIDE.
	1,1-Di-(tert-butylperoxy) cyclohexane, *technically pure.*	5.2	UN2179	II	ORGANIC PEROXIDE.
	Di-n-butyl peroxydicarbonate, more than 52 per cent in solution.	Forbidden	.....		
	Di-n-butyl peroxydicarbonate, *not more than 52 per cent in solution.*	5.2	UN2169	II	ORGANIC PEROXIDE.
	Di-n-butyl peroxydicarbonate, *not more than 27 per cent in solution.*	5.2	UN2170	II	ORGANIC PEROXIDE.
	Di-sec-butyl peroxydicarbonate, *not more than 52 per cent in solution.*	5.2	UN2151	II	ORGANIC PEROXIDE.
	Di-sec-butyl peroxydicarbonate, *technically pure.*	5.2	UN2150	I	ORGANIC PEROXIDE.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
RROSIVE, LAMMABLE IQUID.		None	202	243	1 L	30 L	1,2	1,2	21
EP AWAY ROM FOOD.	T1	153	203	241	60 L	220 L	1,2	1,2	34
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2,40
AMMABLE IQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
GANIC EROXIDE, LAMMABLE IQUID.		152	225	None	1 L	5 L	1	5	12, 40
GANIC EROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
GANIC EROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
GANIC EROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
GANIC EROXIDE.		None	225	None	5 L	10 L	1	5	2
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	1,4-Di-(2-*tert*-butylperoxyisopropyl) benzene, *technically pure or more than 40 percent with inert solid or* 1,3-Di-(2-*tert*-butylperoxyisopropyl)benzene and 1,3-Di-(2-*tert*-butylperoxyisopropyl) benzene mixtures, *technically pure or more than 40 percent with inert solid*..	5.2	UN2112	II	ORGANIC PEROXIDE.
	Di-(tert-butylperoxy) phthalate, more than 55 per cent in solution.	Forbidden	.....		
	Di-(tert-butylperoxy) phthalate, *not more than 55 per cent as a paste.*	5.2	UN2108	II	ORGANIC PEROXIDE.
	Di-(tert-butylperoxy) phthalate, *not more than 55 per cent in solution.*	5.2	UN2107	II	ORGANIC PEROXIDE.
	Di-(tert-butylperoxy) phthalate, *technically pure.*	5.2	UN2106	II	ORGANIC PEROXIDE.
	2,2-Di-(tert-butylperoxy) propane, *not more than 40 per cent with inorganic inert solid with not less than 13 per cent phlegmatizer.*	5.2	UN2884	II	ORGANIC PEROXIDE.
	2,2-Di-(tert-butylperoxy) propane, *not more than 50 per cent with phlegmatizer.*	5.2	UN2883	II	ORGANIC PEROXIDE.
	1,1-Di-(tert-butylperoxy)3,3,5-trimethyl cyclohexane, *not more than 57 per cent in solvent.*	5.2	UN2146	II	ORGANIC PEROXIDE.
	1,1-Di-(tert-butylperoxy)3,3,5-trimethyl cyclohexane, *not more than 58 per cent with inert solid.*	5.2	UN2147	II	ORGANIC PEROXIDE.
	1,1-Di-(tert-butylperoxy)3,3,5-trimethyl cyclohexane, *technically pure.*	5.2	UN2145	II	ORGANIC PEROXIDE.
	Dicetyl peroxydicarbonate, *not more than 42 per cent stable dispersion, in water.*	5.2	UN2895	II	ORGANIC PEROXIDE.
	Dicetyl peroxydicarbonate, *technically pure*...	5.2	UN2164	II	ORGANIC PEROXIDE.
	N,N'-Dichlorazodicarbonamidine (salts of) (dry).	Forbidden	.....		
	Dichloroacetic acid.....	8	UN1764	II	CORROSIVE...
	1,3-Dichloroacetone.....	6.1	UN2649	II	POISON.....
	Dichloroacetyl chloride	8	UN1765	II	CORROSIVE...
	Dichloroacetylene.....	Forbidden	.....		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
GANIC PEROXIDE.		152	225	None	10 kg	25 kg	1	5	12, 40
GANIC PEROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
GANIC PEROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
GANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
GANIC PEROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
GANIC PEROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
GANIC PEROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
GANIC PEROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
GANIC PEROXIDE.		152	225	None	Forbidden	Forbidden	1	5	12, 40
GANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
GANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
RROSIVE	B2, N1, N11, N26, N34, T9, T27.	154	202	242	1 L	30 L	1,2	1,2	
SON		None	212	243	25 kg	100 kg	1,3	1	12, 40, 95
RROSIVE	B2, B6, N1, N11, N26, N34, T8, T26.	154	202	242	1 L	30 L	1	5	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Dichloroanilines	6.1	UN1590	II	POISON
	o-Dichlorobenzene	6.1	UN1591	III	KEEP AWAY FROM FOOD
	p-Dichlorobenzene	6.1	UN1592	III	KEEP AWAY FROM FOOD
	Di-4-chlorobenzoyl peroxide (p-Chlorobenzoyl peroxide), *not more than 52 per cent as a paste.*	5.2	UN2114	II	ORGANIC PEROXIDE.
	Di-4-chlorobenzoyl peroxide (p-Chlorobenzoyl peroxide), *not more than 52 per cent in solution.*	5.2	UN2115	II	ORGANIC PEROXIDE.
	Di-4-chlorobenzoyl peroxide (p-Chlorobenzoyl peroxide), *not more than 75 per cent with water.*	5.2	UN2113	II	ORGANIC PEROXIDE.
D	Dichlorobutene	8	NA2920	I	CORROSIVE, FLAMMABLE LIQUID.
	Dichlorodifluoromethane (*R-12*)	2.2	UN1028		NONFLAMMABLE GAS.
	Dichlorodifluoromethane and difluoroethane azeotropic mixture (*R500*) *with approximately 74 per cent dichlorodifluoromethane.*	2.2	UN2602		NONFLAMMABLE GAS.
	Dichlorodifluoromethane and ethylene oxide mixture, *with not more than 12% ethylene oxide.*	2.3	UN3070	III	POISON GAS, FLAMMABLE GAS.
	Dichlorodimethyl ether, symmetrical	6.1	UN2249	I	POISON
	1,1-Dichloroethane	3	UN2362	II	FLAMMABLE LIQUID.
	1,2-Dichloroethane, see Ethylene dichloride.				
	Dichloroethylene	3	UN1150	II	FLAMMABLE LIQUID.
	Dichloroethyl ether	6.1	UN1916	II	PKISON
	Dichloroethyl sulfide	Forbidden			
	Dichlorofluoromethane	2.2	UN1029		NONFLAMMABLE GAS.
	Dichloroisocyanuric acid, dry *or* Dichloroisocyanuric acid salts.	5.1	UN2465	II	OXIDIZER
	Dichloroisopropyl ether	6.1	UN2490	II	POISON
	Dichloromethane	6.1	UN1593	III	KEEP AWAY FROM FOOD
	1,1-Dichloro-1-nitroethane	6.1	UN2650	II	POISON

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
SON	T14	None	202	242	5 L	60 L	1,2	1,2	26, 40, 95
EP AWAY ROM FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
EP AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
GANIC EROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
GANIC EROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
GANIC EROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
RROSIVE, LAMMABLE QUID.		None	201	243	0.5 L	2.5 L	1,2	1	
NFLAMMA-LE GAS.		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
NFLAMMA-LE GAS.		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
SON GAS, LAMMABLE AS.	B14, B33, 10.	None	304	244	Forbidden	Forbidden	1	5	40
SON	T25	None	201	243	Forbidden	Forbidden	1	5	23, 40, 95
MMABLE QUID.	T7	150	202	242	5 L	60 L	1,3	1	40
MMABLE QUID.	T14	150	202	242	5 L	60 L	1,3	1	
SON	N33, N34, T8.	None	202	243	5 L	60 L	1,2	1,2	95
NFLAMMA-LE GAS.	B51	306	304	314, 315	75 kg	150 kg	1,3	1,3	85
DIZER	B10, 28	152	212	240	5 kg	25 kg	1,2	1,2	
SON	T8	None	202	243	5 L	60 L	1,2	1	95
EP AWAY ROM FOOD.	N36, T13	153	203	241	60 L	220 L	1,2	1,2	25, 34
SON	T8	None	202	243	5 L	60 L	1,3	1,3	12, 40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Dichloropentanes	3	UN1152	III	FLAMMABLE LIQUID.
	Dichlorophenyl isocyanates	6.1	UN2250	II	POISON.
	Dichlorophenyltrichlorosilane	8	UN1766	II	CORROSIVE.
	Dichloropropane, see Propylene dichloride				
	1,3-Dichloropropanol-2	6.1	UN2750	II	POISON.
	Dichloropropene	3	UN2047	II	FLAMMABLE LIQUID.
	Dichloropropene and propylene dichloride mixture, see Propylene dichloride.				
	Dichlorosilane	2.3	UN2189	II	POISON GAS FLAMMABL GAS.
	Dichlorotetrafluoroethane	2.2	UN1958		NONFLAMMA BLE GAS.
	3,5 Dichloro-2,4,6 trifluoropyridine	6.1	NA2810	I	POISON.
	Dichlorovinylchloroarsine	Forbidden			
	Dicumyl peroxide, *technically pure, or* Dicumyl peroxide *with inert solid.*	5.2	UN2121	II	ORGANIC PEROXIDE.
	Dicycloheptadiene *see* Norbornadiene				
	Dicyclohexylamine	8	UN2565	III	CORROSIVE.
	Dicyclohexylammonium nitrite	6.1	UN2687	III	KEEP AWAY FROM FOO
	Dicyclohexyl peroxydicarbonate, *not more than 91 per cent with water.*	5.2	UN2153	I	ORGANIC PEROXIDE.
	Dicyclohexyl peroxydicarbonate, *technically pure.*	5.2	UN2152	I	ORGANIC PEROXIDE.
	Dicyclopentadiene	3	UN2048	III	FLAMMABLE LIQUID.
	Didecanoyl peroxide, *technically pure*	5.2	UN2120	II	ORGANIC PEROXIDE.
	2,2-Di-(4,4-di-tert-butylperoxycyclohexyl) propane, more than 42 per cent with inert solid.	Forbidden			
	2,2-Di-(4,4-di-tert-butylperoxycyclohexyl) propane, *not more than 42 per cent with inert solid.*	5.2	UN2168	II	ORGANIC PEROXIDE.
	Di-2,4-dichlorobenzoyl peroxide, more than 75 per cent with water.	Forbidden			
	Di-2,4-dichlorobenzoyl peroxide, *not more than 52 per cent as a paste.*	5.2	UN2138	II	ORGANIC PEROXIDE.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE LIQUID.	B1, T1	150	202	241	60 L	220 L	1,3	1,3	
OISON		None	212	242	25 kg	100 kg	1,3	1,3	25, 40, 95
ORROSIVE	B2, B6, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	40
OISON	T8	None	202	243	5 L	60 L	1,3	1,3	12, 40, 95
AMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1,3	
OISON GAS, FLAMMABLE GAS.	B13, B14, B31, 10.	None	304	244	Forbidden	Forbidden	1	5	40, 95
ONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
OISON	B14, B32, 10.		227	244	Forbidden	Forbidden	1	1,3	40, 95
RGANIC PEROXIDE.	B9, B20	152	225	243	10 kg	25 kg	1	5	12, 40
ORROSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
AMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1,3	
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
RGANIC PEROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
RGANIC PEROXIDE.		152	225	None	10 kg	25 kg	1	5	12, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Di-2,4-dichlorobenzoyl peroxide, *not more than 52 per cent in solution.*	5.2	UN2139	II	ORGANIC PEROXID
	Di-2,4-dichlorobenzoyl peroxide, *not more than 75 per cent with watr.*	5.2	UN2137	II	ORGANIC PEROXID
	1,2-Di-(dimethylamino) ethane	3	UN2372	II	FLAMMABL LIQUID.
	Didymium nitrate	5.1	UN1465	III	OXIDIZER
D	Dieldrin	6.1	NA2761	II	POISON
D	Diesel fuel	3	NA1202	III	None
	Diethanol nitrosamine dinitrate (dry)	Forbidden			
	Diethoxymethane	3	UN2373	II	FLAMMABL LIQUID.
	2,5-Diethoxy-4-morpholinobenzenediazonium zinc chloride.	4.1	UN3036	II	FLAMMABL SOLID.
	3,3-Diethoxypropene	3	UN2374	II	FLAMMABL LIQUID.
	Diethylamine	3	UN1154	II	FLAMMABL LIQUID.
	Diethylaminoethanol	3	UN2686	III	FLAMMABL LIQUID.
AW	Diethylaminopropylamine	8	UN2684	III	CORROSIVE FLAMMAB LIQUID.
	N,N-Diethyl aniline	6.1	UN2432	III	KEEP AWAY FROM FO
	Diethylbenzene	3	UN2049	III	FLAMMABL LIQUID.
	Diethyl carbonate	3	UN2366	III	FLAMMABL LIQUID.
	Diethyl cellosolve, see Ethylene glycol diethyl ether.				
	Diethyldichlorosilane	8	UN1767	II	CORROSIVE FLAMMAB LIQUID.
	Diethylene glycol dinitrate	Forbidden			
	Diethylene glycol dinitrate, desensitized *with not less than 25 percent non-volatile water-insoluble phlegmatizer, by weight.*	1.1D	UN0075		
	Diethylenetriamine	8	UN2079	II	CORROSIVE
	Diethyl ether	3	UN1155	I	FLAMMABL LIQUID.
	N,N-Diethylethylene diamine	8	UN2685	II	CORROSIVE FLAMMAB LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ORGANIC PEROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
ORGANIC PEROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	
OXIDIZER	A1	152	213	240	25 kg	100 kg	1,2	1,2	
POISON		None	212	242	0.5 kg	5 kg	1,2	1,2	
None		150	203	241	60 L	220 L	1,3	1,3	
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	5	12
FLAMMABLE SOLID.		None	212	None	15 kg	50 kg	1	5	25
FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	N34, T8	150	202	242	5 L	60 L	1,3	5	12, 40
FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
CORROSIVE, FLAMMABLE LIQUID.	B1, B2, T8.	154	203	243	5 L	60 L	1,2	1,2	
KEEP AWAY FROM FOOD.	T2	153	203	241	60 L	220 L	1,2	1,2	34
FLAMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1,3	40
FLAMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1,3	
CORROSIVE, FLAMMABLE LIQUID.	B6, N16, N26, N34, T8, T26.	None	202	243	Forbidden	30 L	1	1	21, 40, 77
CORROSIVE	B2, T8	154	202	242	1 L	30 L	1,2	1,2	26, 32, 40, 71
FLAMMABLE LIQUID.	T21	150	201	243	1 L	30 L	1,3	5	12, 40
CORROSIVE, FLAMMABLE LIQUID.	T8	None	202	243	1 L	30 L	1,3	1,3	12, 21

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Diethylgold bromide	Forbidden			
	Di-2-ethylhexyl peroxydicarbonate, *not more than 77 per cent in solution.*	5.2	UN2123	II	ORGANIC PEROXID
	Di-2-ethylhexyl peroxydicarbonate, *not more than 32 per cent, stable dispersion in water.*	5.2	UN2960	II	ORGANIC PEROXID
	Di-2-ethylhexyl peroxydicarbonate, *technically pure.*	5.2	UN2122	II	ORGANIC PEROXID
	Di-2-ethylhexyl phosphoric acid, see Diisooctyl acid phosphate.				
	Diethyl ketone	3	UN1156	II	FLAMMABL LIQUID.
	Diethyl peroxydicarbonate, more than 27 per cent in solution.	Forbidden			
	Diethyl peroxydicarbonate, *not more than 27 per cent in solution.*	5.2	UN2175	II	ORGANIC PEROXID
	Diethyl sulfate	6.1	UN1594	II	POISON
	Diethyl sulfide	3	UN2375	II	FLAMMABL LIQUID, POISON.
	Diethylthiophosphoryl chloride	8	UN2751	II	CORROSIVI
	Diethylzinc	4.2	UN1366	I	SPONTANE OUSLY COMBUS BLE, DANGER WHEN W
	Difluorochloroethanes, *see* Chlorodifluoroethanes.				
	Difluoroethane (*R-152a*)	2.1	UN1030		FLAMMABL GAS.
	1,1-Difluoroethylene	2.1	UN1959		FLAMMABL GAS.
	Difluorophosphoric acid, anhydrous	8	UN1768	II	CORROSIVI
	2,2-Dihydroperoxy propane, *not more than 25 per cent with inert organic solid.*	5.2	UN2178	II	ORGANIC PEROXID
	2,3-Dihydropyran	3	UN2376	II	FLAMMABL LIQUID.
	Di-(1-hydroxycyclohexyl) peroxide, *technically pure.*	5.2	UN2148	II	ORGANIC PEROXID
	1,8-Dihydroxy-2,4,5,7-tetranitroanthraquinone (chrysamminic acid).	Forbidden			

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
POISON	T14	None	202	243	5 L	60 L	1	1	95
FLAMMABLE LIQUID, POISON.	T14	None	202	243	1 L	60 L	1,3	5	12, 13, 95
CORROSIVE	B2, T8	None	202	242	1 L	30 L	1	5	12, 21, 40
SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.	B11, T28, T40.	None	181	244	Forbidden	Forbidden	1	5	18
FLAMMABLE GAS.	B51	306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
FLAMMABLE GAS.	B13	306	304	244	Forbidden	150 kg	1,3	5	40, 85
CORROSIVE	B2, N5, N11, N16, N26, N34, T9, T27.	None	202	242	1 L	30 L	1,2	1,2	40
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
FLAMMABLE LIQUID.	T7	150	202	242	5 L	60 L	1,3	1	
ORGANIC PEROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Di-(1-hydroxytetrazole) (dry)	Forbidden			
	Diiodoacetylene	Forbidden			
	Diisobutylamine	3	UN2361	III	FLAMMAB LIQUID.
	Diisobutylene, isomeric compounds	3	UN2050	II	FLAMMAB LIQUID.
	Diisobutyl ketone	3	UN1157	III	FLAMMAB LIQUID.
	Diisobutyryl peroxide, *not more than 52 per cent in solution.*	5.2	UN2182	II	ORGANIC PEROXI
	Diisooctyl acid phosphate	8	UN1902	III	CORROSIV
	Diisopropylamine	3	UN1158	II	FLAMMAB LIQUID.
	Diisopropylbenzene hydroperoxide, *see* Isopropylcumyl hydroperoxide, *etc.*.				
	Diisopropyl ether	3	UN1159	II	FLAMMAB LIQUID.
	Diisopropyl peroxydicarbonate *or* Isopropyl peroxydicarbonate, *technically pure.*	5.2	UN2133	II	ORGANIC PEROXI
	Diisopropyl peroxydicarbonate *or* Isopropyl peroxydicarbonate, *not more than 52 per cent in solution.*	5.2	UN2134	II	ORGANIC PEROXI
	Diisotridecyl peroxydicarbonate, *technically pure.*	5.2	UN2889	II	ORGANIC PEROXI
	Diketene, inhibited	3	UN2521	I	FLAMMAB HIQUID, PKISON.
	Dilauroyl peroxide (Lauroyl peroxide), *not more than 42 per cent, stable dispersion, in water.*	5.2	UN2893	II	ORGANIC PEROXI
	Dilauroyl peroxide (Lauroyl peroxide), *technically pure.*	5.2	UN2124	II	ORGANIC PEROXI
	1,1-Dimethoxyethane	3	UN2377	II	FLAMMAB LIQUID.
	1,2-Dimethoxyethane	3	UN2252	II	FLAMMAB LIQUID.
	Dimethylamine, anhydrous	2.3	UN1032	II	POISON G FLAMMA GAS.
	Dimethylamine solution	3	UN1160	II	FLAMMAB LIQUID.
	2-Dimethylaiinoacetonitrile	3	UN2378	II	FLAMMAB LIQUID(POISON.
	4-Dimethylamino-6-(2-dimethylaminoethoxy) toluene-2-diazonium zinc chloride.	4.1	UN3039	II	FLAMMAB SOLID.
	Dimethylaminoethyl methacrylate	6.1	UN2522	II	POISON....

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1,3	
FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
CORROSIVE	T7	154	203	241	5 L	60 L	1,2	1,2	
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	5	12, 40
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
FLAMMABLE HIQUID, PKISON.	10, B14, B32.	None	227	244	Forbidden	Forbidden	1	5	21, 40, 95
ORGANIC PEROXIDE.		152	225	None	10 L	25 L	1	5	12, 40
ORGANIC PEROXIDE.		152	225	None	10 kg	25 kg	1	5	12, 40
FLAMMABLE LIQUID.	T7	150	202	242	5 L	60 L	1,3	1	12
FLAMMABLE LIQUID.	T7	150	202	242	5 L	60 L	1,3	1	
POISON GAS, FLAMMABLE GAS.	B14, B33, 10.	None	304	314, 315	Forbidden	Forbidden	1,3	5	40, 85
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	12
FLAMMABLE LIQUID(POISON.	T8	None	202	243	1 L	60 L	1,3	1	40
FLAMMABLE SOLID.		None	212	None	Forbidden	Forbidden	1	5	2
POISON	T8	None	202	243	5 L	60 L	1,2	1	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	N,N-Dimethylaniline	6.1	UN2253	II	POISON
	Di-(2-methylbenzoyl) peroxide, *not more than 85 per cent with water.*	5.2	UN2593	I	ORGANIC PEROXIDE.
	2,3-Dimethylbutane	3	UN2457	II	FLAMMABLE LIQUID.
	1,3-Dimethylbutylamine	3	UN2379	II	FLAMMABLE LIQUID.
	Dimethylcarbamoyl chloride	8	UN2262	II	CORROSIVE
	Dimethyl carbonate	3	UN1161	II	FLAMMABLE LIQUID.
	Dimethyl chlorothiophosphate, see Corrosive liquid, poisonous, n.o.s..				
	Dimethylcyclohexanes	3	UN2263	II	FLAMMABLE LIQUID.
	Dimethylcyclohexylamine	8	UN2264	II	CORROSIVE
	2,5-Dimethyl-2,5-di-(benzoylperoxy) hexane, *not more than 82 per cent with inert solid.*	5.2	UN2173	II	ORGANIC PEROXIDE.
	2,5-Dimethyl-2,5-di-(benzoylperoxy) hexane, *not more than 82 per cent with water.*	5.2	UN2959	II	ORGANIC PEROXIDE.
	2,5-Dimethyl-2,5-di-(benzoylperoxy) hexane, *technically pure.*	5.2	UN2172	II	ORGANIC PEROXIDE.
	2,5-Dimethyl-2,5-di(tert-butylperoxy) hexane, *not more than 52 per cent with inert solid.*	5.2	UN2156	II	ORGANIC PEROXIDE.
	2,5-Dimethyl-2,5-di-3 (tert-butylperoxy) hexane, *technically pure.*	5.2	UN2155	II	ORGANIC PEROXIDE.
	2,5-Dimethyl-2,5-di(tert-butylperoxy) hexyne-3, *not more than 52 per cent with inert solid.*	5.2	UN2159	II	ORGANIC PEROXIDE.
	2,5-Dimethyl-2,5-di(tert-butylperoxy)*technically pure.*	5.2	UN2158	II	ORGANIC PEROXIDE.
	Dimethyldichlorosilane	3	UN1162	I	FLAMMABLE LIQUID, POISON, CORROSIVE.
	Dimethyldiethoxysilane	3	UN2380	II	FLAMMABLE LIQUID.
	2,5-Dimethyl-2,5-di(2-ethylhexanoylperoxy) hexane, *technically pure.*	5.2	UN2157	II	ORGANIC PEROXIDE.
	2,5-Dimethyl-2,5-dihydroperoxy hexane *or* Dimethylhexane dihydroperoxide, *not more than 82 per cent with water.*	5.2	UN2174	I	ORGANIC PEROXIDE.
	2,5-Dimethyl-2,5-dihydroperoxy hexane, more than 82 per cent with water.	Forbidden			
	Dimethyldioxanes	3	UN2707	II	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ON	T8	None	202	243	5 L	60 L	1,3	1,3	95
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
IMABLE UID.	T13	150	202	242	5 L	60 L	1,3	5	12
IMABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	
ROSIVE	B2, T8	154	202	242	1 L	30 L	1,2	1,2	40
IMABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	
IMABLE UID.	T1	150	202	242	5 L	60 L	1,3	1	
ROSIVE	B2, T8	154	202	242	1 L	30 L	1,3	1,3	12, 21, 40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
ANIC ROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
ANIC ROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
ANIC ROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
ANIC ROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
IMABLE UID, ISON, RROSIVE.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,3	1	40
IMABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	20, 40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
IMABLE UID.	T8, T31	150	202	242	5 L	60 L	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	III	FLAMMABLE LIQUID.
	Dimethyl disulfide	3	UN2381	II	FLAMMABLE LIQUID.
	2,5-Dimethyl-2,5-di-(5,5-trimethyl hexanoyl-peroxy)-hexane, *or*2,5-Dimethyl-2,5-di(isononanoylperoxy)-hexane *not more than 77% in solution* .	5.2	UN3060	II	ORGANIC PEROXIDE.
	Dimethylethanolamine	3	UN2051	III	FLAMMABLE LIQUID.
	Dimethyl ether.....	2.1	UN1033	.....	FLAMMABLE GAS.
	N,N-Dimethylformamide.....	3	UN2265	III	FLAMMABLE LIQUID.
	Dimethylhexane dihydroperoxide, see 2,5-Dimethyl2,5-dihydroperoxy hexane, *etc.*.	.....	.....		
	Dimethylhydrazine, symmetrical	3	UN2382	I	FLAMMABLE LIQUID, POISON, CORROSIVE.
	Dimethylhydrazine, unsymmetrical	3	UN1163	I	FLAMMABLE LIQUID, POISON, CORROSIVE.
D	Dimethyl phosphorochloridothioate.....	6.1	NA2927	I	POISON, CORROSIVE.
	2,2-Dimethylpropane *other than pentane or isopentane.*	2.1	UN2044	.....	FLAMMABLE GAS.
	Dimethyl-N-propylamine	3	UN2266	II	FLAMMABLE LIQUID, CORROSIVE.
	Dimethyl sulfate.....	6.1	UN1595	I	POISON, CORROSIVE.
	Dimethyl sulfide	3	UN1164	I	FLAMMABLE LIQUID.
	Dimethyl thiophosphoryl chloride	8	UN2267	I	CORROSIVE, POISON.
	Dimethylzinc.....	4.2	UN1370	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.
	Dimyristyl peroxydicarbonate, *not more than 24 per cent, stable dispersion, in water.*	5.2	UN2892	II	ORGANIC PEROXIDE.
	Dimyristyl peroxydicarbonate, *technically pure.*	5.2	UN2595	II	ORGANIC PEROXIDE.
	Di-(1-naphthoyl) peroxide	Forbidden	.....		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Excep-tions	Non-bulk pack-aging	Bulk packag-ing	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Pas-senger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
IMABLE UID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
IMABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	40
ANIC ROXIDE.		None	225	None	5 L	10 L	1	5	
IMABLE UID.	T1	150	203	242	60 L	220 L	1,3	1	
IMABLE S.		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
IMABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
IMABLE UID, ISON, RROSIVE.	B14, B32, N15, N26, 10.	None	227	244	Forbidden	Forbidden	1,3	5	12, 40, 95
IMABLE UID, ISON, RROSIVE.	B14, B32, N15, N26, 10.	None	227	244	Forbidden	Forbidden	1,3	5	40, 61, 74, 95
ON, RROSIVE.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,2	1	20, 95
IMABLE S.	B13	306	304	244	Forbidden	150 kg	1,3	1	40, 85
IMABLE UID, RROSIVE.	T14, T26	None	202	243	1 L	5 L	1,3	1	40
ON, RROSIVE.	T18, T26	None	201	243	Forbidden	30 L	1	5	40, 95
IMABLE UID.	T14	None	201	243	1 L	30 L	1,3	5	12
ROSIVE, ISON.	10, B14, B32.	None	227	244	Forbidden	Forbidden	1	5	20, 40, 85, 95
NTANE-SLY MBUSTI-E, NGEROUS HEN WET.	B11, B16, T28, T29, T40.	None	181	244	Forbidden	Forbidden	1	5	18
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	
(1)	(2)	(3)	(4)	(5)	(6)	
	Dinitroanilines	6.1	UN1596	II	POISON	T
	Dinitrobejzenes, *liquid*	6.1	UN1597	II	POISON	T
	Dinitrobenzenes, *solid*	6.1	UN1597	II	POISON	T
	Dinitrochlorobenzene, see Chlorodinitrobenzene.					
	Dinitro-o-cresol, *solid*	6.1	UN1598	II	PKISON	T
	Dinitro-o-cresol, *solution*	6.1	UN1598	II	POISON	T
	Dinitro-7,8-dimethylglycoluril (dry)	Forbidden				
	1,3-Dinitro-5,5-dimethyl hydantoin	Forbidden				
	1,3-Dinitro-4,5-dinitrosobenzene	Forbidden				
	1,2-Dinitroethane	Forbidden				
	1,1-Dinitroethane (dry)	Forbidden				
	Dinitroglycoluril	Forbidden				
	Dinitromethane	Forbidden				
	Dinitrophenolates (*alkali metals*), *dry or wetted with less than 15 per cent water, by weight.*	1.3C	UN0077			
	Dinitrophenolates, wetted *with not less than 15 per cent water, by weight.*	4.1	UN1321	I	FLAMMABLE SOLID, POISON.	A
	Dinitrophenol, *dry or wetted with less than 15 per cent water, by weight.*	1.1D	UN0076			
	Dinitrophenol solutions	6.1	UN1599	II	POISON	T
	Dinitrophenol, wetted *with not less than 15 per cent water, by weight.*	4.1	UN1320	I	FLAMMABLE SOLID, POISON.	A
	Dinitropropylene glycol	Forbidden				
	Dinitroresorcinol, *dry or wetted with less than 15 per cent water, by weight.*	1.1D	UN0078			
	4,6-Dinitroresorcinol (heavy metal salts of) (dry).	Forbidden				
	2,4-Dinitroresorcinol (heavy, metal salts of) (dry).	Forbidden				
	Dinitroresorcinol, wetted *with not less than 15 per cent water, by weight.*	4.1	UN1322	I	FLAMMABLE* SOLID.	A
	3,5-Dinitrosalicylic acid (lead salt) (dry)	Forbidden				

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
	T14	None	212	242	25 kg	100 kg	1,2	1,2	95
	T14, 11	None	202	243	5 L	60 L	1,2	1,2	95
	11	None	212	242	25 kg	100 kg	1,2	1,2	95
	T14	None	212	242	25 kg	100 kg	1,2	1,2	95
	T144	None	202	243	5 L	60 L	1,2	1,2	95
BLE N.	A19, A20, N2, N34, N41.	None	211	None	1 kg	15 kg	1,3	5	36
	T8	None	202	243	5 L	60 L	1,2	5	23, 36, 95
BLE N.	A19, A20, N2, N34, N41.	None	211	None	1 kg	15 kg	1,3	5	36, 47
BLE*	A19, A20, N2, N34, N41.	None	211	None	1 kg	15 kg	1,3	5	36

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Dinitrosobenzene	1.3C	UN0406		
	Dinitrosobenzylamidine and salts of (dry)	Forbidden			
	N,N'-Dinitroso-N,N'-dimethyl terephthalamide *not more than 72% as a paste.*	4.1	UN2973	II	FLAMMABLE SOLID.
	N,N'-Dinitrosopentamethylenetetramine *not more than 82% with phlegmatizer.*	4.1	UN2972	II	FLAMMABLE SOLID.
	2,2-Dinitrostilbene	Forbidden			
	1,4-Dinitro-1,1,4,4-tetramethylolbutanetetranitrate (dry).	Forbidden			
	Dinitrotoluenes, *liquid*	6.1	UN2038	II	POISON.
				III	KEEP AWAY FROM FOOD.
	Dinitrotoluenes, molten	6.1	UN1600	II	POISON.
	Dinitrotoluenes, *solid*	6.1	UN2038	II	POISON.
	2,4-Dinitro-1,3,5-trimethylbenzene	Forbidden			
	Di-(beta-nitroxyethyl) ammonium nitrate	Forbidden			
	a,a'-Di-(nitroxy) methylether	Forbidden			
	1,9-Dinitroxy pentamethylene-2,4, 6,8-tetramine (dry).	Forbidden			
	Di-n-nonanoyl peroxide, *technically pure*	5.2	UN2130	II	ORGANIC PEROXIDE.
	Di-n-octanoyl peroxide, *technically pure*	5.2	UN2129	II	ORGANIC PEROXIDE.
	Dioxane	3	UN1165	II	FLAMMABLE LIQUID.
	Dioxolane	3	UN1166	II	FLAMMABLE LIQUID.
	Dipentene	3	UN2052	III	FLAMMABLE LIQUID.
	Diperoxy azelaic acid *not more than 27 per cent with not less than 13 per cent azelaic acid and not less than 53 per cent sodium sulfate.*	5.2	UN2958	II	ORGANIC PEROXIDE.
	Diperoxy dodecane diacid, *not more than 42% with not less than 56% sodium sulfate.*	5.2	UN3063	II	ORGANIC PEROXIDE.
	Di-(2 Phenoxyethyl)-peroxy dicarbonate, *not more than 85% with water.*	5.2	UN3059	II	ORGANIC PEROXIDE.
	Di-(2 phenoxyethyl)-peroxy dicarbonate, *technically pure.*	5.2	UN3058	II	ORGANIC PEROXIDE.
	Diphenylamine chloroarsine (*DM*)	6.1	UN1698	I	POISON.

bels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ABLE D.		None	212	None	Forbidden	Forbidden	1	5	12, 25, 48, 52, 53
ABLE D.		None	212	None	Forbidden	Forbidden	1	5	12, 25, 48, 52, 53
	T14, T38	None	202	243	5 L	60 L	1,2	1,2	
WAY	T14, T38	153	203	241	60 L	220 L	1,2	1,2	
FOOD.	T14, T38	None	202	243	Forbidden	Forbidden	1,2	1,2	95
	T8, T38	None	212	242	25 kg	100 kg	1,2	1,2	95
IC XIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
IC XIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
ABLE D.	T8	150	202	242	5 L	60 L	1,3	1	
ABLE D.	T8	150	202	242	5 L	60 L	1,3	1	40
ABLE D.	T1	150	203	242	60 L	220 L	1,3	1	
IC XIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
IC XIDE.		None	225	None	Forbidden	Forbidden	1	5	2
IC XIDE.		None	225	None	5 kg	10 kg	1	5	2
IC XIDE.		None	225	None	Forbidden	Forbidden	1	5	2
	10	None	227	None	Forbidden	Forbidden	1	5	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Diphenylchloroarsine	6.1	UN1699	I	POISON
	Diphenyldichlorosilane	8	UN1769	II	CORROSIVE
	Diphenylmethane-4,4'diisocyanate	6.1	UN2489	III	KEEP AWAY FROM FOO
	Diphenylmethyl bromide	8	UN1770	II	CORROSIVE
	Diphenyloxide-4,4'disulfohydrazide	4.1	UN2951	II	FLAMMABLE SOLID.
	Dipicrylamine, *see* Hexanitrodiphenylamine				
	Dipicryl sulfide, *dry or wetted with less than 10 per cent water, by weight.*	1.1D	UN0401		
	Dipicryl sulfide, wetted *with not less than 10 per cent water, by weight.*	4.1	UN2852	I	FLAMMABLE SOLID.
	Dipropionyl peroxide *or* Propionyl peroxide, *not more than 28 per cent in solution.*	5.2	UN2132	II	ORGANIC PEROXIDE
	Dipropionyl peroxide, more than 28 per cent in solution.	Forbidden			
	Dipropylamine	3	UN2383	II	FLAMMABLE LIQUID.
	4-Dipropylaminobenzenediazonium zinc chloride.	4.1	UN3034	II	FLAMMABLE SOLID.
	Dipropyl ether	3	UN2384	II	FLAMMABLE LIQUID.
	Dipropylketone	3	UN2710	III	FLAMMABLE LIQUID.
	Di-n-propyl peroxydicarbonate, *technically pure.*	5.2	UN2176	I	ORGANIC PEROXIDE
	Disinfectants, corrosive liquid, n.o.s.	8	UN1903	II	CORROSIVE
				III	CORROSIVE
	Disinfectants, n.o.s. *poisonous liquid*	6.1	UN1601	I	POISON
				II	POISON
				III	KEEP AWAY FROM FOO
	Disinfectants, n.o.s. *poisonous solid*	6.1	UN1601	I	POISON
				II	POISON
				III	KEEP AWAY FROM FOO
	Dispersant gas, see Compressed *or* liquefied gases, *etc.*				
	Distearyl peroxydicarbonate, *not more than 85 per cent with stearyl alcohol.*	5.2	UN2592	II	ORGANIC PEROXIDE

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
OISON	B14, B32, N2, N33, N34, 10.	None	211	244	Forbidden	Forbidden	1	5	40, 95
ORROSIVE	B2, N16, N26, N34, T8, T26.	None	202	244	Forbidden	30 L	1	1	40
EEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	1,2	1,2	34, 48
ORROSIVE		154	212	240	15 kg	50 kg	1	5	40
AMMABLE SOLID.		None	212	None	15 kg	50 kg	1,3	1	12, 25, 48, 52, 53, 85
AMMABLE SOLID.	A2, N15, N34, N41.	None	211	None	Forbidden	0.5 kg	1	5	
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
AMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	
AMMABLE SOLID.		None	212	None	15 kg	50 kg	1	5	25
AMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	5	12
AMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
ORROSIVE	B2	154	202	242	1 L	30 L	1,2	1,2	
ORROSIVE		154	203	241	5 L	60 L	1,2	1,2	
OISON		None	201	243	1 L	30 L	1,2	1	40, 95
OISON		None	202	243	5 L	60 L	1,2	1,2	40, 95
EEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34, 40
OISON		None	211	242	5 kg	50 kg	1,2	1,2	95
OISON		None	212	242	25 kg	100 kg	1,2	1,2	95
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
RGANIC PEROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Disuccinic acid peroxide *or* Succinic acid peroxide, *technically pure*.	5.2	UN2135	I	ORGANIC PEROXIDE
	Disuccinic acid peroxide, *not more than 72 per cent, wetted with water*.	5.2	UN2962	I	ORGANIC PEROXIDE
	Dithiocarbamate pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23deg C*.	3	UN2772	I	FLAMMABLE LIQUID, POISON.
				II	FLAMMABLE LIQUID, POISON.
	Dithiocarbamate pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23deg C*.	6.1	UN3005	I	POISON, FLAMMAB LIQUID.
				II	POISON, FLAMMAB LIQUID.
				III	KEEP AWAY FROM FO
	Dithiocarbamate pesticides, liquid, toxic, n.o.s..	6.1	UN3006	I	POISON.....
				II	POISON.....
				III	KEEP AWAY FROM FO
	Dithiocarbamate pesticides, solid, toxic, n.o.s..	6.1	UN2771	I	POISON.....
				II	POISON.....
				III	KEEP AWAY FROM FO
	Di-(3,5,5-trimethyl-1,2-dioxolanyl-3) peroxide, *not more than 50 per cent as a paste, with phlegmatizer*.	5.2	UN2597	II	ORGANIC PEROXIDE
	Di-(3,5,5-trimethylhexanoyl) peroxide, *in solution, or* Di-(3,5,5-trimethylhexanoyl) peroxide, *technically pure*.	5.2	UN2128	II	ORGANIC PEROXIDE
	Divinyl ether, inhibited	3	UN1167	II	FLAMMABLE LIQUID.
D	Dodecylbenzenesulfonic acid	8	NA2584	II	CORROSIVE
	Dodecyltrichlorosilane	8	UN1771	II	CORROSIVE
	Driers, paint *or* varnish, liquid, n.o.s.	3	UN1168	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Driers, paint *or* varnish, solid, n.o.s.	4.1	UN1371	III	FLAMMABLE SOLID.
	Dry ice, *see* Carbon dioxide, solid				

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	20, 40
LAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	1,3	5	
LAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	1	
OISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	1	1	21, 40, 95
OISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	1,3	1	21, 40, 95
EEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	1,2	1	21, 34, 40
OISON		None	201	243	1 L	30 L	1	1	40, 95
OISON		None	202	243	5 L	60 L	1,2	1	40, 95
EEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34, 40
OISON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
OISON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	2, 40
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	20, 40
LAMMABLE LIQUID.	N15, T14	None	202	241	5 L	60 L	1,3	5	12, 40
ORROSIVE	B2	154	202	242	1 L	30 L	1,2	1,2	
ORROSIVE	B2, B6, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	40
LAMMABLE LIQUID.	T8, T31	150	173	242	5 L	60 L	1,3	1	
LAMMABLE LIQUID.	B1, T7, T30.	150	173	242	60 L	220 L	1,3	1,3	
LAMMABLE SOLID.	A1, A19, B16.	151	213	242	25 kg	100 kg	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Dyes, n.o.s. *or* Dye intermediates, n.o.s., *corrosive liquid.*	8	UN2801	II	CORROSIVE.
	.....	.....	.....	III	CORROSIVE.
	Dyes, n.o.s. *or* Dye intermediates, n.o.s. *poisonous liquid.*	6.1	UN1602	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOO
	Dyes, n.o.s. *or* Dye intermediates, n.o.s. *poisonous solid.*	6.1	UN1602	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	II	KEEP AWAY FROM FOO
	Dyes, n.o.s. *or* Dye intermediates, n.o.s. *corrosive solid.*	8	UN2801	II	CORROSIVE.
	.....	.....	.....	III	CORROSIVE.
	Dynamite, see Explosive, blasting, type A	.....	.....		
	EDTA. *See* Ethylenediaminetetraacetic acid.	.....	.....		
	Electrolyte (acid or alkali) for batteries, see Battery fluid, acid *or* Battery fluid, alkali.	.....	.....		
	Engines, internal combustion, *see* Vehicle, self-propelled.	.....	.....		
	Engine starting fluid, *with flammable gas*	2.1	UN1960	.....	FLAMMABLE GAS.
	Epibromohydrin	6.1	UN2558	I	POISON.
	Epichlorohydrin	6.1	UN2023	II	POISON.
	1,2-Epoxy-3-ethoxypropane	3	UN2752	III	FLAMMABLE LIQUID.
	Etching acid, liquid, n.o.s. , see Hydrofluoric acid, solution.	.....	.....		
	Ethane, compressed	2.1	UN1035	.....	FLAMMABLE GAS.
D	Ethane-Propane mixture, refrigerated liquid	2.1	NA1961	.....	FLAMMABLE GAS.
	Ethane, refrigerated liquid	2.1	UN1961	.....	FLAMMABLE GAS.
	Ethanolamine *or* Ethanolamine solutions	8	UN2491	III	CORROSIVE.
	Ethanol amine dinitrate	Forbidden	.....		
	Ethanol (Ethyl alcohol) *or* Ethanol (Ethyl alcohol) solutions.	3	UN1170	II	FLAMMABLE LIQUID.
	.....	.....	.....	III	FLAMMABLE LIQUID.
	Ether, see Diethyl ether	.....	.....		
	Ethyl acetate	3	UN1173	II	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ORROSIVE	B2, T14, 11.	154	202	242	1 L	30 L	1,2	1,2	23
ORROSIVE	T14, 11	154	203	241	5 L	60 L	1,2	1,2	23
OISON		None	201	243	1 L	30 L	1,2	1	23, 95
OISON		None	202	243	5 L	60 L	1,2	1,2	23, 95
EP AWAY FROM FOOD.		153	203	241	60 L	220	1,2	1,2	34
OISON		None	211	242	5 kg	50 kg	1,2	1	95
OISON		None	212	242	25 kg	100 kg	1,2	1,2	95
EP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
ORROSIVE	11	154	212	242	15 kg	50 kg	1,2	1,2	
ORROSIVE	11	154	213	240	25 kg	100 kg	1,2	1,2	
AMMABLE GAS.	B13	306	304	244	Forbidden	150 kg	1,3	5	40, 85
OISON		None	201	243	Forbidden	Forbidden	1	5	23, 25, 40, 95
OISON		None	202	243	5 L	60 L	1,2	1,2	23, 40, 95
AMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
AMMABLE GAS.	B13	306	304	244	Forbidden	150 kg	1,3	5	40, 85
AMMABLE GAS.	B13	None	316	244	Forbidden	Forbidden	1	5	40
AMMABLE GAS.	B13	None	316	244	Forbidden	Forbidden	1	5	40
ORROSIVE	T7	154	203	241	5 L	60 L	1,2	1,2	
AMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
AMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
AMMABLE LIQUID.	T2	150	202	242	5 L	60 L	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Ethyl acetylene, inhibited	2.1	UN2452	.....	FLAMMABLE GAS.
	Ethyl acrylate, inhibited	3	UN1917	II	FLAMMABLE LIQUID.
	Ethyl alcohol, *see* Ethanol	.....	.....		
	Ethyl aldehyde; see Acetaldehyde	.....	.....		
	Ethylamine	2.1	UN1036	.....	FLAMMABLE GAS.
	Ethylamine, aqueous solution *with not less than 50 per cent but not more than 70 per cent ethylamine.*	3	UN2270	II	FLAMMABLE LIQUID.
	Ethyl amyl ketone	3	UN2271	III	FLAMMABLE LIQUID.
	N-Ethylaniline	6.1	UN2272	III	KEEP AWAY FROM FOO
	2-Ethylaniline	6.1	UN2273	III	KEEP AWAY FROM FOO
	Ethylbenzene	3	UN1175	II	FLAMMABLE LIQUID.
	N-Ethyl-N-benzylaniline	6.1	UN2274	III	KEEP AWAY FROM FOO
	N-Ethylbenzyltoluidines	6.1	UN2753	III	KEEP AWAY FROM FOO
	Ethyl borate	3	UN1176	II	FLAMMABLE LIQUID.
	Ethyl bromide	6.1	UN1891	II	POISON
	Ethyl bromoacetate	6.1	UN1603	II	POISON
	2-Ethylbutanol	3	UN2275	III	FLAMMABLE LIQUID.
	Ethylbutyl acetate	3	UN1177	III	FLAMMABLE LIQUID.
	Ethyl butyl ether	3	UN1179	II	FLAMMABLE LIQUID.
	2-Ethylbutyraldehyde	3	UN1178	II	FLAMMABLE LIQUID.
	Ethyl butyrate	3	UN1180	II	FLAMMABLE LIQUID.
	Ethyl chloride	2.1	UN1037	I	FLAMMABLE GAS.
	Ethyl chloroacetate	6.1	UN1181	II	POISON
	Ethyl chloroformate	3	UN1182	I	FLAMMABLE LIQUID, POISON, CORROSIVE

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE GAS.	B13	None	304	244	Forbidden	150 kg	1	5	40
AMMABLE IQUID.	T8	150	202	242	5 L	60 L	1,3	1	40
AMMABLE GAS.	B13	None	321	244	Forbidden	Forbidden	1,3	5	40, 85
AMMABLE IQUID.	N15, T14	150	202	242	5 L	60 L	1,3	5	12, 40
AMMABLE IQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
EP AWAY ROM FOOD.	T2	153	203	241	60 L	220 L	1,2	1,2	26, 34
EP AWAY ROM FOOD.	T2	153	203	241	60 L	220 L	1,2	1,2	26, 34
AMMABLE IQUID.	T1	150	202	242	5 L	60 L	1,3	1	
EP AWAY ROM FOOD.	T2	153	203	241	60 L	220 L	1,2	1,2	34
EP AWAY ROM FOOD.		153	203	241	60 L	220 L	1,3	1,3	12, 34
AMMABLE IQUID.	T8	150	202	242	5 L	60 L	1,3	1	
SON	T17	None	202	243	5 L	60 L	1,3	1	40, 48, 95
SON	T14	None	202	243	Forbidden	Forbidden	1	5	23, 40, 95
AMMABLE IQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
AMMABLE IQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
AMMABLE IQUID.	B1, T1	150	202	242	5 L	60 L	1,3	1	
AMMABLE IQUID.	B1, T1	150	202	242	5 L	60 L	1,3	1	
AMMABLE IQUID.	T1	150	202	242	5 L	60 L	1,3	1,3	
AMMABLE GAS.	B13	None	322	244	Forbidden	150 kg	1,3	5	40, 85
SON	T14	None	202	243	5 L	60 L	1,2	1,2	23, 40, 48, 95
AMMABLE IQUID, OISON, ORROSIVE.	B14, B32, N1, N11, N26, N34, 10.	None	227	244	Forbidden	Forbidden	1,3	5	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Ethyl-2-chloropropionate	3	UN2935	III	FLAMMABLE LIQUID.
	Ethyl chlorothioformate	8	UN2826	I	CORROSIVE...
	Ethyl crotonate	3	UN1862	II	FLAMMABLE LIQUID.
	Ethyl cyanoacetate	6.1	UN2666	III	KEEP AWAY FROM FOO
	Ethyl-3,3-di-(tert-butylperoxy) butyrate, *not more than 50 per cent with inert inorganic solid.*	5.2	UN2598	II	ORGANIC PEROXIDE.
	Ethyl-3,3-di-(tert-butylperoxy) butyrate, *not more than 77 per cent in solution.*	5.2	UN2185	II	ORGANIC PEROXIDE.
	Ethyl-3,3-di-(tert-butylperoxy) *technically pure.*	5.2	UN2184	II	ORGANIC PEROXIDE.
	Ethyldichloroarsine	6.1	UN1892	I	POISON.....
	Ethyldichlorosilane	4.3	UN1183	I	DANGEROUS WHEN WET, CORROSIVE FLAMMABLE LIQUID.
	Ethylene chlorohydrin	6.1	UN1135	I	POISON.....
	Ethylene, compressed	2.1	UN1962	.....	FLAMMABLE GAS.
	Ethylenediamine	8	UN1604	II	CORROSIVE, FLAMMABLE LIQUID.
	Ethylene diamine diperchlorate	Forbidden	.....		
	Ethylene dibromide	6.1	UN1605	I	POISON.....
	Ethylene dibromide and methyl bromide liquid mixtures, see Methyl bromide and ethylene dibromide, liquid mixtures.	.....	.....		
	Ethylene dichloride	3	UN1184	II	FLAMMABLE LIQUID, POISON.
	Ethylene glycol diethyl ether	3	UN1153	III	FLAMMABLE LIQUID.
	Ethylene glycol dinitrate	Forbidden	.....		
	Ethylene glycol monobutyl ether	6.1	UN2369	III	KEEP AWAY FROM FOOD
	Ethylene glycol monoethyl ether	3	UN1171	III	FLAMMABLE LIQUID.
	Ethylene glycol monoethyl ether acetate	3	UN1172	III	FLAMMABLE LIQUID.

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Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE IQUID.	B1	150	203	242	60 L	220 L	1,3	1,3	
RROSIVE	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1	1,3	21, 40, 95
MMABLE IQUID.	T1	150	202	242	5 L	60 L	1,3	1	
EP AWAY ROM FOOD.	T8	153	203	241	60 L	220 L	1,2	1,2	26, 34
GANIC EROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
GANIC EROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
GANIC EROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
SON	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1	5	40, 95
NGEROUS HEN WET, ORROSIVE, LAMMABLE QUID.	A2, N1, N15, N26, N34, T18, T26.	None	201	244	Forbidden	1 L	1	1	40
SON	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,2	1,2	23, 40, 48, 95
MMABLE AS.	B13	306	304	244	Forbidden	150 kg	1,3	5	40, 85
RROSIVE, LAMMABLE QUID.	T14	154	202	243	1 L	30 L	1,3	1,3	21, 40
SON	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,2	1,2	40, 95
MMABLE QUID, OISON.	T14	None	202	243	1 L	60 L	1,3	1	
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
EP AWAY ROM FOOD.		153	203	241	60 L	220 L	1,3	1,3	22, 25, 40, 34
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Ethylene glycol monomethyl ether	3	UN1188	III	FLAMMABLE LIQUID.
	Ethylene glycol monomethyl ether acetate	3	UN1189	III	FLAMMABLE LIQUID.
	Ethyleneimine, inhibited	6.1	UN1185	I	POISON, FLAMMABLE LIQUID.
	Ethylene oxide and carbon dioxide mixtures, see Carbon dioxide and ethylene oxide mixtures, *etc.*.				
	Ethylene oxide and propylene oxide mixtures, *not more than 30 per cent ethylene oxide.*	3	UN2983	I	FLAMMABLE LIQUID, POISON.
	Ethylene oxide, *pure or with nitrogen*	2.3	UN1040	II	POISON GAS, FLAMMABLE GAS.
	Ethylene, refrigerated liquid (*cryogenic liquid*).	2.1	UN1038		FLAMMABLE GAS.
	Ethyl ether, *see* Diethyl ether				
	Ethyl fluoride	2.3	UN2453	II	POISON GAS.
	Ethyl formate	3	UN1190	II	FLAMMABLE LIQUID.
	Ethylhexaldehyde, see Octyl aldehydes *etc.*.				
	2-Ethylhexylamine	8	UN2276	III	CORROSIVE.
	2-Ethylhexylchloroformate	6.1	UN2748	II	POISON, CORROSIVE.
	Ethyl hydroperoxide	Forbidden			
	Ethyl isobutyrate	3	UN2385	II	FLAMMABLE LIQUID.
	Ethyl isocyanate	3	UN2481	I	FLAMMABLE LIQUID, POISON.
	Ethyl lactate	3	UN1192	III	FLAMMABLE LIQUID.
	Ethyl mercaptan	3	UN2363	I	FLAMMABLE LIQUID.
	Ethyl methacrylate	3	UN2277	II	FLAMMABLE LIQUID.
	Ethyl methyl ether	2.1	UN1039		FLAMMABLE GAS.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Excep-tions	Non-bulk pack-aging	Bulk packag-ing	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Pas-senger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
SON, LAMMABLE QUID.	B14, B32, N16, N17, N25, N32, 10.	None	227	244	Forbidden	Forbidden	1,3	1	
MMABLE QUID, OISON.	N4, N15, N34, N40.	None	201	243	Forbidden	30 L	1,3	5	12, 40
SON GAS, LAMMABLE AS.	10	None	323	248	Forbidden	Forbidden	1,3	1	40, 85, 95
MMABLE AS.		None	316	318, 319	Forbidden	Forbidden	1	5	40, 85
SON GAS	B13, B33, 10.	None	304	244	Forbidden	Forbidden	1,3	5	40. 85
MMABLE QUID	T8	150	202	242	5 L	60 L	1,3	5	12
RROSIVE	T2	154	203	241	5 L	60 L	1,3	1,3	21
SON, ORROSIVE.		None	202	243	1 L	30 L	1,3	1,3	12, 13, 23, 25, 40, 95
MMABLE QUID.		150	202	242	5 L	60 L	1,3	1	
MMABLE QUID, OISON.	B13, B14, B30, N15, N26, 10.	None	226	244	Forbidden	Forbidden	1	5	12, 40, 48
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.		None	202	243	Forbidden	30 L	1,3	5	12, 13, 34, 35, 40
MMABLE QUID.	T1	150	202	242	5 L	60 L	1,3	1	
MMABLE AS.	B13	None	324	244	Forbidden	150 kg	1,3	1	25, 40, 85

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Ethyl methyl ketone *or* Methyl ethyl ketone	3	UN1193	II	FLAMMABLE LIQUID.
D	Ethyl nitrate (*nitric ether*)	3	NA1993	II	FLAMMABLE LIQUID.
	Ethyl nitrite solutions	3	UN1194	I	FLAMMABLE LIQUID, POISON.
	Ethyl orthoformate	3	UN2524	III	FLAMMABLE LIQUID.
	Ethyl oxalate	6.1	UN2525	III	KEEP AWAY FROM FOOD
	Ethyl perchlorate	Forbidden			
	Ethylphenyldichlorosilane	8	UN2435	II	CORROSIVE
	Ethyl phosphonothioic dichloride, anhydrous, see Poisonous liquids, corrosive, n.o.s., *inhalation hazard, Packing Group I, Zone B.*				
	Ethyl phosphonous dichloride, anhydrous, see Pyrophoric liquids, n.o.s..				
	Ethyl phosphorodichloridate, see Corrosive liquid, n.o.s..				
	1-Ethyl piperidine	3	UN2386	II	FLAMMABLE LIQUID
	Ethyl propionate	3	UN1195	II	FLAMMABLE LIQUID.
	Ethyl propyl ether	3	UN2615	II	FLAMMABLE LIQUID.
	Ethyl silicate, see Tetraethyl silicate				
	Ethylsulfuric acid	8	UN2571	II	CORROSIVE
	N-Ethyltoluidines	6.1	UN2754	II	POISON
	Ethyltrichlorosilane	3	UN1196	I	FLAMMABLE LIQUID, CORROSIVE.
D	Etiologic agent, n.o.s.(*see also* Infectious substances, *etc.*).	6.2	NA2814		ETIOLOGIC AGENT.
	Explosive articles, see Articles, explosive				
	Explosive, blasting, type A	1.1D	UN0081		
	Explosive, blasting, type B	1.1D	UN0082		
	Explosive, blasting, type B	1.5D	UN0331		
	Explosive, blasting, type C	1.1D	UN0083		
	Explosive, blasting, type D	1.1D	UN0084		
	Explosive, blasting, type E	1.1D	UN0241		
	Explosive, blasting, type E	1.5D	UN0332		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.		150	202	None	Forbidden	Forbidden	1,3	1	
MMABLE QUID, ISON.		None	201	None	Forbidden	Forbidden	1,3	5	12, 40
MMABLE QUID.		150	203	242	60 L	220 L	1,3	1,3	
P AWAY OM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34
ROSIVE	B2, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	
MMABLE QUID	T8	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	T1	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	5	12
ROSIVE	B2, T9, T27	154	202	242	1 L	30 L	1,2	1	14
ON	T14	None	202	243	5 L	60 L	1,3	1,3	12, 22, 25, 95
MMABLE QUID, RROSIVE.	N26, N34	None	201	243	Forbidden	2.5 L	1,3	1	
LOGIC ENT.		196	196	None	50 ml or 50 g.	4 L or 4 kg	5	5	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Explosive, forbidden. See Sec. 173.51	Forbidden			
	Explosives, slurry, see Explosive, blasting, type E.				
	Explosive substances, see Substances, explosive.				
	Explosives, water gels, see Explosive, blasting, type E.				
	Extracts, aromatic, liquid	3	UN1169	I	FLAMMABLE LIQUID.
				II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Extracts, flavouring, liquid	3	UN1197	I	FLAMMABLE LIQUID.
				II	FLAMMABLE LIQUID
				III	FLAMMABLE LIQUID
	Fabric with animal or vegetable oil. See Fibers *or* fabrics, *etc.*.				
	Ferric arsenate	6.1	UN1606	II	POISON
	Ferric arsenite	6.1	UN1607	II	POISON
	Ferric chloride	8	UN1773	III	CORROSIVE
	Ferric chloride, solution	8	UN2582	III	CORROSIVE
	Ferric nitrate	5.1	UN1466	III	OXIDIZER
	Ferrocerium	4.1	UN1323	II	FLAMMABLE SOLID.
	Ferrosilicon, *with 30 percent or more but less than 90 percent silicon.*	4.3	UN1408	III	DANGEROUS WHEN WET, KEEP AWAY FROM FOOD
	Ferrous arsenate	6.1	UN1608	II	POISON
D	Ferrous chloride, solid	8	NA1759	II	CORROSIVE
D	Ferrous chloride, solution	8	NA1760	II	CORROSIVE
	Ferrous metal borings, shavings, turnings *or* cuttings *in a form liable to self-heating.*	4.2	UN2793	III	SPONTANEOUSLY COMBUSTIBLE.
	Fertilizer ammoniating solution *with free ammonia.*	2.2	UN1043		NONFLAMMABLE GAS.
AIW	Fibers *or* Fabrics, animal *or* vegetable, n.o.s. *with animal or vegetable oil.*	4.2	UN1373	III	SPONTANEOUSLY COMBUSTIBLE.
	Films, nitrocellulose base, from which gelatine has been removed; film scrap, see Celluloid scrap.				

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE QUID.	T7, T30	150	201	243	1 L	30 L	1,3	5	
MMABLE QUID.	T7, T30	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	T7, T30	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	T7, T30	150	201	243	1 L	30 L	1,3	5	
MMABLE QUID	T7, T30	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID	T7, T30	150	203	242	60 L	220 L	1,3	1,3	
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
RROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
RROSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	
DIZER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	
MMABLE OLID.	A19	151	212	240	15 kg	50 kg	1,3	1,3	
IGEROUS HEN WET, EEP AWAY ROM FOOD.	A1, A19	None	213	242	25 kg	100 kg	1,3	1,3	13, 40, 85
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
RROSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
RROSIVE	B2	154	202	242	1 L	30 L	1,2	1,2	
NTANE-USLY OMBUSTI-LE.	A1, A19	None	213	241	25 kg	100 kg	1,2	1,2	
NFLAMMA-LE GAS.	B13	306	304	244	Forbidden	150 kg	1,3	5	40, 85
NTANE-USLY OMBUSTI-LE.		None	213	241	Forbidden	Forbidden	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Films, nitrocellulose base, *gelatine coated (except scrap)*.	4.1	UN1324	III	FLAMMABLE SOLID.
	Fire extinguisher charges, *corrosive liquid*	8	UN1774	II	CORROSIVE.
	Fire extinguisher charges, expelling, explosive, see Cartridges, power device.				
	Fire extinguishers *with compressed or liquefied gas.*	2.2	UN1044		NONFLAMMABLE GAS.
	Firelighters, solid *with flammable liquid*	4.1	UN2623	II	FLAMMABLE SOLID.
				III	FLAMMABLE SOLID.
	Fireworks, type A	1.1G	UN0333		
	Fireworks, type B	1.2G	UN0334		
	Fireworks, type C	1.3G	UN0335		
	Fireworks, type D	1.4G	UN0336		
	Fireworks, type D	1.4S	UN0337		
	Fish meal *or* fish scrap, unstabilized	4.2	UN1374	II	SPONTANEOUSLY COMBUSTIBLE.
ADW	Fish meal *or* fish scrap containing 6% to 12% water.	9	NA9300	III	CLASS 9
	Fissile radioactive materials, see Radioactive material, fissile, n.o.s..				
	Flammable compressed gas, see Compressed *or* Liquefied gas, flammable, *etc.*.				
	Flammable compressed gas (small receptacles not fitted with a dispersion device, not refillable), see Receptacles, *etc.*.				
	Flammable gas in lighters, *see* Lighters for cigars *or* cigarettes, *with flammable gas.*				
	Flammable liquids, corrosive, n.o.s.	3	UN2924	I	FLAMMABLE LIQUID, CORROSIVE
				II	FLAMMABLE LIQUID, CORROSIVE
				III	FLAMMABLE LIQUID, CORROSIVE
	Flammable liquids, n.o.s.	3	UN1993	I	FLAMMABLE LIQUID.
				II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE SOLID.		None	183	None	25 kg	100 kg	1	5	98
ORROSIVE	N15, N34, N41.	154	202	None	1 L	30 L	1,2	1,2	
ONFLAMMA-BLE GAS.		306	306	None	75 kg	150 kg	1,3	1,3	85
AMMABLE SOLID.	A19	None	212	None	15 kg	50 kg	1,3	1,3	
AMMABLE SOLID.	A1, A19	None	213	None	25 kg	100 kg	1,3	1,3	
ONTANE-OUSLY COMBUSTI-BLE.	A1, A19	None	212	241	15 kg	50 kg	1,3	1,3	
ASS 9	A1	155	213	241	No limit	No limit	1,2	1,2	
AMMABLE LIQUID, CORROSIVE.	T42	None	201	243	0.5 L	2.5 L	1,3	5	40
AMMABLE LIQUID, CORROSIVE.	T15, T26	None	202	243	1 L	5 L	1,3	1	40
AMMABLE LIQUID, CORROSIVE.	B1, T15, T26.	150	203	242	5 L	60 L	1,3	1,3	40
AMMABLE LIQUID.	T42	150	201	243	1 L	30 L	1,3	5	
AMMABLE LIQUID.	T8, T31	150	202	242	5 L	60 L	1,3	1	
AMMABLE LIQUID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Flammable liquids, poisonous, n.o.s.	3	UN1992	I	FLAMMABLE LIQUID, POISON.
	"	"	"	II	FLAMMABLE LIQUID, POISON.
	"	"	"	III	FLAMMABLE LIQUID, KE AWAY FRO FOOD.
	Flammable solids, corrosive, n.o.s.	4.1	UN2925	I	FLAMMABLE SOLID, CORROSIVI
	"	"	"	II	FLAMMABLE SOLID, CORROSIVI
	"	"	"	III	FLAMMABLE SOLID, CORROSIVI
	Flammable solids, n.o.s.	4.1	UN1325	II	FLAMMABLE SOLID.
	"	"	"	III	FLAMMABLE SOLID.
	Flammable solids, poisonous, n.o.s.	4.1	UN2926	I	FLAMMABLE SOLID, POISON.
	"	"	"	II	FLAMMABLE SOLID, POISON.
	"	"	"	III	FLAMMABLE SOLID, KEE AWAY FRO FOOD.
	Flares, aerial	1.3G	UN0093		
	Flares, aerial	1.4G	UN0403		
	Flares, aerial	1.4S	UN0404		
	Flares, aerial	1.1G	UN0420		
	Flares, aerial	1.2G	UN0421		
	Flares, airplane, see Flares, aerial	"	"		
	Flares, signal, see Cartridges, signal	"	"		
	Flares, surface (*other than water activated contrivances*).	1.1G	UN0418		
	Flares, surface (*other than water activated contrivances*).	1.2G	UN0419		
	Flares, surface (*other than water-activated contrivances*).	1.3G	UN0092		
	Flares, water-activated, see Contrivances, water-activated, *etc.*.	"	"		
	Flash powder, in units, see Photo-flash powder, in units.	"	"		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE LIQUID, POISON.	B38, T42	None	201	243	Forbidden	30 L	1,3	5	40
AMMABLE LIQUID, POISON.	T18	None	202	243	1 L	60 L	1,3	1	40
AMMABLE LIQUID, KEEP AWAY FROM FOOD.	B1, T18	150	203	242	60 L	220 L	1,3	1,3	40
AMMABLE SOLID, CORROSIVE.	A19	None	211	242	1 kg	15 kg	1	5	40, 74
AMMABLE SOLID, CORROSIVE.		None	212	242	15 kg	50 kg	1	5	40, 74
AMMABLE SOLID, CORROSIVE.	A1	151	213	242	25 kg	100 kg	1	5	
AMMABLE SOLID.		151	212	240	15 kg	50 kg	1,3	1	
AMMABLE SOLID.		151	213	240	25 kg	100 kg	1,3	1	
AMMABLE SOLID, POISON.	A19	None	211	242	1 kg	15 kg	1,3	5	
AMMABLE SOLID, POISON.		None	212	242	15 kg	50 kg	1,3	1	
AMMABLE SOLID, KEEP AWAY FROM FOOD.	A1	151	213	242	25 kg	100 kg	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Flue dusts, poisonous, see Arsenical dust				
	Fluoboric acid	8	UN1775	II	CORROSIVE.
	Fluoric acid, see Hydrofluoric acid, solution, *etc.*.				
	Fluorine, compressed	2.3	UN1045	I	POISON GAS, OXIDIZER.
	Fluoroacetic acid	6.1	UN2642	I	POISON.
	Fluoroanilines	6.1	UN2941	III	KEEP AWAY FROM FOOD
	Fluorobenzene	3	UN2387	II	FLAMMABLE LIQUID.
	Fluorophosphoric acid anhydrous	8	UN1776	II	CORROSIVE.
	Fluorosilicates, n.o.s.	6.1	UN2856	III	KEEP AWAY FROM FOOD
	Fluorosilicic acid	8	UN1778	II	CORROSIVE.
	Fluorosulfonic acid	8	UN1777	I	CORROSIVE.
	Fluorotoluenes	3	UN2388	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Forbidden materials. See 173.21	Forbidden			
	Formaldehyde, solutions, *flammable*	3	UN1198	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
RROSIVE	B2, B15, N3, N11, N26, N34, T15, T27.	154	202	242	1 L	30 L	1,2	1,2	
SON GAS, XIDIZER.	10	None	302	245	Forbidden	Forbidden	1	5	40, 43, 95
SON		None	211	242	1 kg	15 kg	1,3	1,3	12, 95
EP AWAY ROM FOOD.	T8	153	203	241	60 L	220 L	1,2	1,2	23, 34
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1	40
RROSIVE	B2, N3, N11, N26, N34, T9, T27.	None	202	242	1 L	30 L	1,2	1,2	
EP AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	26, 34
RROSIVE	B2, B15, N3, N11, N26, N34, T12, T27.	None	202	242	1 L	30 L	1,2	1,2	
RROSIVE	B41, B4, B6, N1, N3, N11, N26, N35, T12, T27.	None	201	242	0.5 L	2.5 L	1	5	33, 40
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1	40
MMABLE QUID.	B1, T8	150	202	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1,3	40
MMABLE QUID.	B1, T8	150	203	242	60 L	220 L	1,3	1,3	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Formaldehyde, solutions(*flashpoint greater than 60.5 degrees C*).	9	UN2209	III	CLASS 9
	Formalin, see Formaldehyde, solutions				
	Formic acid	8	UN1779	II	CORROSIVE.
	Fracturing devices, explosive, *for oil wells*	1.1D	UN0099		
	Fuel, aviation, turbine engine	3	UN1863	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
D	Fuel oil(*No. 1, 2, 4, 5 or 6*)	3	NA1202	III	None
	Fuel, pyrophoric, n.o.s.	4.2	UN1375	I	SPONTANEOUSLY COMBUSTIBLE.
	Fulminate of mercury (dry)	Forbidden			
	Fulminate of mercury, wet, see Mercury fulminate, *etc.*.				
	Fulminating gold	Forbidden			
	Fulminating mercury	Forbidden			
	Fulminating platinum	Forbidden			
	Fulminating silver	Forbidden			
	Fulminic acid	Forbidden			
	Fumaryl chloride	8	UN1780	II	CORROSIVE.
	Furan	3	UN2389	I	FLAMMABLE LIQUID.
	Furfural	3	UN1199	III	FLAMMABLE LIQUID.
	Furfuryl alcohol	6.1	UN2874	III	KEEP AWAY FROM FOO
	Furfurylamine	3	UN2526	III	FLAMMABLE LIQUID.
	Fuse, detonating, *metal clad, see* Cord, detonating, *metal clad*.				
	Fuse, detonating, mild effect, *metal clad, see* Cord, detonating, mild effect, *metal clad*.				
D	Fusee (*railway or highway*)	4.1	NA1325	II	FLAMMABLE SOLID.
	Fuse, igniter *tubular metal clad*	1.4G	UN0103		
	Fuse, instantaneous, non-detonating	1.3G	UN0101		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
LASS 9	T1	155	204	240	100 L	220 L	1,2	1,2	34
ORROSIVE	B2, B12, B28, T8.	154	202	242	1 L	30 L	1,2	1,2	40
AMMABLE LIQUID.	T7	150	202	242	5 L	60 L	1,3	1	
AMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
ne		150	203	241	60 L	220 L	1,3	1,3	
ONTANE-OUSLY COMBUSTI-BLE.	B11	None	181	244	Forbidden	Forbidden	1	5	18
ORROSIVE	B2, T8, T26.	154	202	242	1 L	30 L	1	1	80, 40
AMMABLE LIQUID.		None	201	242	1 L	30 L	1	1,3	
AMMABLE LIQUID.	T1	150	203	241	60 L	220 L	1,3	1,3	
EP AWAY FROM FOOD.	T2	153	203	240	60 L	220 L	1,2	1,2	34, 74
AMMABLE LIQUID.	T1	150	203	241	60 L	220 L	1,3	1,3	
AMMABLE SOLID.		None	184	None	15 kg	50 kg	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Fusel oil	3	UN1201	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Fuse, safety	1.4S	UN0105		
	Fuses, tracer, see Tracers for ammunition				
	Fuzes, combination, percussion and time, see Fuzes, detonating (*UN 0257, 0367*); Fuzes, igniting (UN 0317, 0368).				
	Fuzes, detonating	1.1B	UN0106		
	Fuzes, detonating	1.2B	UN0107		
	Fuzes, detonating	1.4B	UN0257		
	Fuzes, detonating	1.4S	UN0367		
	Fuzes, detonating, *with protective features*	1.1D	UN0408		
	Fuzes, detonating, *with protective features*	1.2D	UN0409		
	Fuzes, detonating, *with protective features*	1.4D	UN0410		
	Fuzes, igniting	1.3G	UN0316		
	Fuzes, igniting	1.4G	UN0317		
	Fuzes, igniting	1.4S	UN0368		
	Galactsan trinitrate	Forbidden			
	Gallium	8	UN2803	I	CORROSIVE.
	Gas drips, *hydrocarbon*	3	UN1864	II	FLAMMABLE LIQUID.
	Gas generator assemblies (aircraft), *containing a non-flammable non-toxic gas and a propellant cartridge.*	2.2			NONFLAMMABLE GAS.
D	Gas identification set	2.3	NA9035	II	POISON GAS.
D	Gas identification set	6.1	NA9035	I	POISON.
D	Gasohol (*gasoline mixed with ethyl alcohol, max. 20% alcohol*).	3	NA1203	II	FLAMMABLE LIQUID.
	Gas oil	3	UN1202	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Gasoline	3	UN1203	II	FLAMMABLE LIQUID.
	Gasoline, casinghead, see Natural gasoline				
	Gelatine, blasting, see Explosive, blasting, type A.				
	Gelatine dynamites, see Explosive, blasting, type A.				
	Germane	2.3	UN2192	I	POISON GAS, FLAMMABLE GAS.
	Glycerol-1,3-dinitrate	Forbidden			
	Glycerol gluconate trinitrate	Forbidden			

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE IQUID.	T1	150	202	242	5 L	60 L	1,3	1	
AMMABLE IQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
RROSIVE		None	162	240	20 kg	20 kg	1,3	1	26, 48
AMMABLE IQUID.	T7	150	202	242	5 L	60 L	1,3	1	
NFLAMMA-LE GAS.		None	335	None	75 kg	150 kg	1,3	1,3	
SON GAS	10	None	194	None	Forbidden	Forbidden	1	5	
SON		None	194	None	Forbidden	Forbidden	1,2	5	
AMMABLE IQUID.		150	202	242	5 L	60 L	1,3	5	12
AMMABLE IQUID.	T7, T30	150	202	242	5 L	60 L	1,3	1	
AMMABLE IQUID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
AMMABLE IQUID.	T8	150	202	242	5 L	60 L	1,3	5	12
SON GAS, LAMMABLE AS.	10	None	192	245	Forbidden	Forbidden	1	5	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Glycerol lactate trinitrate	Forbidden			
	Glycerol alpha-monochlorohydrin	6.1	UN2689	III	KEEP AWAY FROM FOO
	Glyceryl trinitrate, see Nitroglycerin, *etc.*				
	Glycidaldehyde	3	UN2622	II	FLAMMABLE LIQUID, POISON.
	Grenades, *hand or rifle, with bursting charge.*	1.1D	UN0284		
	Grenades, *hand or rifle, with bursting charge.*	1.2D	UN0285		
	Grenades, *hand or rifle, with bursting charge.*	1.1F	UN0292		
	Grenades, *hand or rifle, with bursting charge.*	1.2F	UN0293		
	Grenades, illuminating, see Ammunition, illuminating, *etc.*.				
	Grenades practice	1.4G	UN0452		
	Grenades, practice, *hand or rifle*	1.4S	UN0110		
	Grenades, practice, *hand or rifle*	1.3G	UN0318		
	Grenades, practice, *hand or rifle*	1.2G	UN0372		
	Grenades, smoke, see Ammunition, smoke, *etc.*.				
	Guanidine nitrate	5.1	UN1467	III	OXIDIZER
	Guanyl nitrosaminoguanylidene hydrazine (dry).	Forbidden			
	Guanyl nitrosaminoguanylidene hydrazine, wetted *with not less than 30 per cent water, by weight.*	1.1A	UN0113		
	Guanyl nitrosaminoguanyltetrazene (dry)	Forbidden			
	Guanyl nitrosaminoguanyltetrazene (Tetrazene), wetted *with not less than 30 per cent water by weight, or mixture of alcohol and water.*	1.1A	UN0114		
	Gunpowder, compressed *or* Gunpowder in pellets, *see* Black powder (*UN 0028*).				
	Gunpowder, *granular or as a meal, see* Black powder (*UN 0027*).				
D	Guthion. *See* Azinphos methyl				
	Gutta percha solution	3	UN1205	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Hafnium powder, dry (*a*) *mechanically produced, particle size between 3 and 53 microns;* (*b*) *chemically produced, particle size between 10 and 840 microns.*	4.2	UN2545	II	SPONTANEOUSLY COMBUSTI BLE.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
EEP AWAY FROM FOOD.	T2	153	203	241	60 L	220 L	1,2	1,2	34
AMMABLE LIQUID, POISON.	T8	150	202	243	1 L	60 L	1,3	1,3	40
XIDIZER	A1	152	213	240	25 kg	100 kg	1,2	1,2	73
AMMABLE LIQUID.	T7, T30	150	202	242	5 L	60 L	1,3	1	
AMMABLE LIQUID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
ONTANE-OUSLY COMBUSTI-BLE.	A19, A20, N34.	None	212	241	15 kg	50 kg	1	5	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Hafnium powder, wetted *with not less than 25 per cent water (a visible excess of water must be present) (a) mechanically produced, particle size less than 53 microns; (b) chemically produced, particle size less than 840 microns.*	4.1	UN1326	II	FLAMMABLE SOLID.
	Halogenated irritating liquids, n.o.s.	6.1	UN1610	I	POISON
				II	POISON
				III	KEEP AWAY FROM FOOD
	Hand signal device, see Signal devices, hand.				
D	Hazardous substance, liquid, n.o.s., *or* ORM-E, liquid, n.o.s..	ORM-E	NA9188	III	None
D	Hazardous substance, solid, n.o.s., *or* ORM-E, solid, n.o.s..	ORM-E	NA9188	III	None
D	Hazardous waste, liquid, n.o.s.	ORM-E	NA9189	III	None
D	Hazardous waste, solid, n.o.s.	ORM-E	NA9189	III	None
	Helium, compressed	2.2	UN1046		NONFLAMMABLE GAS.
	Helium-oxygen mixture, see Rare gases and oxygen mixtures.				
	Helium, refrigerated liquid (*cryogenic liquid*)	2.2	UN1963		NONFLAMMABLE GAS.
	n-Heptaldehyde	3	UN3056	III	FLAMMABLE LIQUID.
	Heptanes	3	UN1206	II	FLAMMABLE LIQUID.
	n-Heptene	3	UN2278	II	FLAMMABLE LIQUID.
	Hexachloroacetone	6.1	UN2661	III	KEEP AWAY FROM FOOD
	Hexachlorobenzene	6.1	UN2729	III	KEEP AWAY FROM FOOD
	Hexachlorobutadiene	6.1	UN2279	III	KEEP AWAY FROM FOOD
	Hexachlorocyclopentadiene	6.1	UN2646	I	POISON
	Hexachlorophene	6.1	UN2875	III	KEEP AWAY FROM FOOD
	Hexadecyltrichlorosilane	8	UN1781	II	CORROSIVE
	Hexadiene	3	UN2458	II	FLAMMABLE LIQUID.
	Hexaethyl tetraphosphate and compressed gas mixtures.	2.3	UN1612	I	POISON GAS

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE OLID.	A19, A20, N11, N34.	None	212	241	15 kg	50 kg	1,3	5	
ISON	T42	None	201	243	Forbidden	Forbidden	1	5	23, 40, 95
ISON	T14	None	202	243	5 L	60 L	1	5	23, 40, 95
EP AWAY ROM FOOD.	T14	153	202	241	60 L	220 L	1	5	23, 34, 40
ne		156	203	241	No limit	No limit	1,2	1,2	
ne		156	213	240	No limit	No limit	1,2	1,2	
ne		156	203	241	No limit	o limit	1,2	1,2	
ne		156	213	240	No limit	No limit	1,2	1,2	
NFLAMMA-LE GAS.	B13	306	302	244	75 kg	150 kg	1,3	1,3	85
NFLAMMA-LE GAS.		320	316	318	50 kg	500 kg	1,3	1	85
AMMABLE IQUID.	B1, T1	150	203	242	60 L	220 L	1,2	1	
AMMABLE IQUID.	T2	150	202	242	5 L	60 L	1,3	1	
AMMABLE IQUID.	T8	150	202	242	5 L	60 L	1,3	1	
EP AWAY ROM FOOD.	T8	153	203	241	60 L	220 L	1,2	1,2	12, 34, 40
EP AWAY ROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34
EP AWAY ROM FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
SON	10, B14, B32.	None	227	244	Forbidden	Forbidden	1	5	40, 95
EP AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
RROSIVE	B2, B6, N26, N34, T8.	None	202	242	Forbidden	30 L	1	1	40
AMMABLE IQUID.	T7	None	202	242	5 L	60 L	1,3	5	12
SON GAS	B14, B31, 10.	None	334	244	Forbidden	Forbidden	1	5	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Hexaethyl tetraphosphate, *liquid*	6.1	UN1611	I	POISON
				II	POISON
				III	KEEP AWAY FROM FO
	Hexaethyl tetraphosphate mixture, see Organophosphorous pesticide *etc.*.				
	Hexaethyl tetraphosphate, *solid*	6.1	UN1611	I	POISON
				II	POISON
				III	KEEP AWAY FROM FO
	Hexafluoroacetone	2.3	UN2420	I	POISON GA
	Hexafluoroacetone hydrate	6.1	UN2552	II	POISON
	Hexafluoroethane	2.2	UN2193		NONFLAMMABLE GAS.
	Hexafluorophosphoric acid	8	UN1782	II	CORROSIVE
	Hexafluoropropylene	2.2	UN1858		NONFLAMMABLE GAS.
D	Hexafluoropropylene oxide	2.2	NA1956		NONFLAMMABLE GAS.
	Hexaldehyde	3	UN1207	III	FLAMMABLE LIQUID.
	Hexamethylenediamine, solid	8	UN2280	III	CORROSIVE
	Hexamethylenediamine solution	8	UN1783	II	CORROSIVE, POISON.
	Hexamethylenediisocyanate	6.1	UN2281	II	POISON
	Hexamethyleneimine	3	UN2493	II	FLAMMABLE LIQUID, CORROSIV
	Hexamethylene triperoxide diamine (dry)	Forbidden			
	Hexamethylol benzene hexanitrate	Forbidden			
	3,3,6,6,9,9-Hexamethyl-1,2,4,5-tetraoxacyclononane, *not more than 52 per cent in solution.*	5.2	UN2167	II	ORGANIC PEROXIDE
	3,3,6,6,9,9-Hexamethyl-1,2,4,5-tetraoxacyclononane, *not more than 52 per cent with inert solid.*	5.2	UN2166	II	ORGANIC PEROXIDE
	3,3,6,6,9,9-Hexamethyl-1,2,4,5-tetraoxacyclononane, *technically pure.*	5.2	UN2165	I	ORGANIC PEROXIDE
	Hexamine	4.1	UN1328	III	FLAMMABLE SOLID.
	Hexanes	3	UN1208	II	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
OISON	A4	None	201	243	1 L	30 L	1,2	5	40, 95
OISON	N76	None	202	243	5 L	60 L	1,2	5	40, 95
EEP AWAY FROM FOOD.	N77	None	203	241	60 L	220 L	1,2	5	34, 40
OISON		None	211	242	Forbidden	15 kg	1,2	5	95
OISON	N76	None	212	242	25 kg	100 kg	1,2	5	95
EEP AWAY FROM FOOD.	N77	153	213	240	100 kg	200 kg	1,2	5	34
OISON GAS	B14, B31, 10.	None	304	244	Forbidden	Forbidden	1	5	40, 95
OISON		None	202	243	5 L	60 L	1,2	1	40, 95
ONFLAMMA-BLE GAS.	B13	306	304	244	75 kg	150 kg	1,3	1,3	85
ORROSIVE	B2, N3, N11, N26, N34, T9, T27.	None	202	242	1 L	30 L	1,2	1,2	
ONFLAMMA-BLE GAS.		306	304	314, 315	75 kg	150 kg	1,3	1,3	85
ONFLAMMA-BLE GAS.	B13	306	304	244, 314	75 kg	150 kg	1,3	1,3	85
AMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1,3	
ORROSIVE		154	213	242	25 kg	100 kg	1,3	1,3	12
ORROSIVE, POISON.	T8	None	202	243	1 L	30 L	1,2	1,2	
OISON	T14	None	202	243	5 L	60 L	1,2	1	13, 40, 95
AMMABLE LIQUID, CORROSIVE.	T8	None	202	243	1 L	5 L	1,3	1	40
RGANIC PEROXIDE.		~152	225	None	5 L	10 L	1	5	12, 40
RGANIC PEROXIDE.		152	225	None	5 kg	10 kg	1	5	12, 40
RGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
AMMABLE SOLID.	A1	151	213	240	25 kg	100 kg	1,3	1,3	
AMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	5	12

Symbols (1)	Hazardous materials descriptions and proper shipping names (2)	Hazard class (3)	Identification numbers (4)	Packing group (5)	Labels (6)
	Hexanitroazoxy benzene	Forbidden			
	2,2',4,4',6,6'-Hexanitro-3,3'-dihydroxyazobenzene (dry).	Forbidden			
	2,2',3',4,4',6-Hexanitrodiphenylamine	Forbidden			
	Hexanitrodiphenylamine (Dipicrylamine; Hexyl).	1.1D	UN0079		
	2,3',4,4',6,6'-Hexanitrodiphenylether	Forbidden			
	N,N'-(hexanitrodiphenyl) ethylene dinitramine (dry).	Forbidden			
	Hexanitrodiphenyl urea	Forbidden			
	Hexanitroethane	Forbidden			
	Hexanitrooxanilide	Forbidden			
	Hexanitrostilbene	1.1D	UN0392		
	Hexanoic acid, see Corrosive liquid, n.o.s.				
	Hexanols	3	UN2282	III	FLAMMABLE LIQUID.
	Hexatonal, cast	1.1D	UN0393		
	1-Hexene	3	UN2370	II	FLAMMABLE LIQUID.
	Hexogen, *see* Cyclotrimethylenetrinitramine, *etc.*.				
	Hexolite, *dry or wetted a less than 15 per cent water, by weight.*	1.1D	UN0118		
	Hexyl, *see* Hexanitrodiphenylamine				
	Hexyltrichlorosilane	8	UN1764	II	CORROSIVE
	High explosives, see individual explosives' entries.				
	HMX, *see* Cyclotetramethylene-tetranitramine, *etc.*.				
	Hydrazine, anhydrous *or* Hydrazine aqueous solutions *with more than 64 per cent hydrazine, by weight.*	3	UN2029	I	FLAMMABLE LIQUID, POISON, CORROSIVE
	Hydrazine azide	Forbidden			
	Hydrazine chlorate	Forbidden			

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	5	12
RROSIVE	B2, B6, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	40
MMABLE QUID, OISON, ORROSIVE.	B16, B17, B24, N1, N11, N26, N35, T25.	None	201	243	Forbidden	2.5 L	1	5	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Hydrazine dicarbonic acid diazide	Forbidden			
	Hydrazine hydrate *or* Hydrazine aqueous solutions, *with not more than 64 per cent hydrazine, by weight.*	8	UN2030	II	CORROSIVE, POISON.
	Hydrazine perchlorate	Forbidden			
	Hydrazine selenate	Forbidden			
	Hydrides, metal, n.o.s.	4.3	UN1409	I	DANGEROUS WHEN WET.
	Hydriodic acid, anhydrous, see Hydrogen iodide, anhydrous.				
	Hydriodic acid, solution	8	UN1787	II	CORROSIVE.
	Hydrobromic acid, anhydrous, see Hydrogen bromide, anhydrous.				
	Hydrobromic acid solution, *more than 49 per cent strength.*	8	UN1788	I	CORROSIVE.
	Hydrobromic acid solution, *not more than 49 per cent strength.*	8	UN1788	II	CORROSIVE.
	Hydrocarbon gases, compressed, n.o.s. *or* Hydrocarbon gases mixtures, compressed, n.o.s..	2.1	UN1964		FLAMMABLE GAS.
	Hydrocarbon gases, liquefied, n.o.s. *or* Hydrocarbon gases mixtures, liquefied, n.o.s..	2.1	UN1965		FLAMMABLE GAS.
	Hydrochloric acid, anhydrous, see Hydrogen chloride, anhydrous.				
	Hydrochloric acid, solution	8	UN1789	II	CORROSIVE.
	Hydrocyanic acid, anhydrous, see Hydrogen cyanide.				

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
RROSIVE, OISON.	B16, B17, B24, T15.	None	202	243	Forbidden	30 L	1	5	40, 42, 82
NGEROUS HEN WET.	A19, N34	None	211	242	Forbidden	15 kg	1	5	22
RROSIVE	B2, N1, N11, N16, N34, N41, T9, T27.	154	202	242	1 L	30 L	1	1	8
RROSIVE	B4, B15, N1, N11, N16, N34, N41.	None	201	242	Forbidden	Forbidden	1	1	83, 33
RROSIVE	B2, B15, N1, N11, N16, N34, N41.	154	202	242	1 L	30 L	1	1	
MMABLE AS.	B13	306	302	244	Forbidden	150 kg	1,3	1	40, 85
MMABLE AS.	B13	306	304	244	Forbidden	150 kg	1,3	1	40, 85
RROSIVE	B2, B8, B15, N1, N11, N34, N41, T9, T27.	154	202	242	1 L	30 L	1	1	83, 33

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Hydrocyanic acid, aqueous solutions*less than 5% HCN.*	6.1	UN1613	II	POISON.
	Hydrocyanic acid, aqueous solutions*not more than 20% HCN.*	6.1	UN1613	I	POISON.
	Hydrocyanic acid, liquefied, see Hydrogen cyanide, *etc.*.				
	Hydrofluoric acid and Sulfuric acid mixtures	8	UN1786	I	CORROSIVE POISON.
	Hydrofluoric acid, anhydrous, see Hydrogen fluoride, anhydrous.				
	Hydrofluoric acid, solution, *more than 60 per cent strength.*	8	UN1790	I	CORROSIVE POISON.
	Hydrofluoric acid, solution, *not more than 60 per cent strength.*	8	UN1790	II	CORROSIVE POISON.
	Hydrofluoraboric acid, see Fluoboric acid				
	Hydrofluorosilicic acid, see Fluorosilicic acid.				
	Hydrogen and Methane mixtures, compressed.	2.1	UN2034		FLAMMABLE GAS.
	Hydrogen bromide, anhydrous	2.3	UN1048	II	POISON GAS CORROSIV
	Hydrogen chloride, anhydrous	2.3	UN1050	II	POISON GAS CORROSIV
	Hydrogen chloride, refrigerated liquid	2.3	UN2186	II	POISON GAS CORROSIV
	Hydrogen, compressed	2.1	UN1049		FLAMMABLE GAS.
	Hydrogen cyanide, anhydrous, stabilized	6.1	UN1051	I	POISON, FLAMMABL LIQUID.
	Hydrogen cyanide, anhydrous, stabilized, *absorbed in a porous inert material.*	6.1	UN1614	I	POISON.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
OISON	B12, T18, T26.	None	195	243	Forbidden	5 L	1	5	40
OISON	B12, B14, B32, 10.	None	195	244	Forbidden	Forbidden	1	5	40, 95
ORROSIVE, POISON.	B15, B23, N5, N11, N26, N34, T18, T27.	None	201	243	Forbidden	2.5 L	1	5	33, 40
ORROSIVE, POISON.	B4, B12, B15, B23, N5, N11, N26, N34, T18, T27.	None	201	243	0.5 L	2.5 L	1	5	12
ORROSIVE, POISON.	B12, B15, N5, N11, N26, N34, T18, T27.	None	202	243	1 L	30 L	1	5	12
AMMABLE GAS.	B13	306	302	244	Forbidden	150 kg	1,3	5	40, 85
OISON GAS, CORROSIVE.	B13, B14, B33, 10.	None	304	244	Forbidden	Forbidden	1	5	40, 95
OISON GAS, CORROSIVE.	B13, B34, 10.	None	304	244	Forbidden	Forbidden	1	5	34, 40, 95
OISON GAS, CORROSIVE.	10, B6, B43.	None	None	314, 315	Forbidden	Forbidden	1,3	4	40
AMMABLE GAS.	B13	306	302	244	Forbidden	150 kg	1,3	5	40, 57, 85
OISON, FLAMMABLE LIQUID.	10, B12, B14, B30.	None	195	245	Forbidden	Forbidden	1	5	21, 25, 40, 95
OISON	B12	None	195	243	Forbidden	Forbidden	1	5	25, 40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Hydrogen cyanide, unstabilized	Forbidden			
	Hydrogen fluoride, anhydrous	8	UN1052	I	CORROSIV POISON.
	Hydrogen iodide, anhydrous	2.2	UN2197		NONFLAMI BLE GAS CORROS
	Hydrogen iodide solution, see Hydriodic acid, solution.				
	Hydrogen peroxide, aqueous solutions *with more than 40 per cent but not more than 60 per cent hydrogen peroxide (stabilized as necessary).*	5.1	UN2014	II	OXIDIZER, CORROS
	Hydrogen peroxide, aqueous solutions *with not less than 20 per cent but not more than 40 per cent hydrogen peroxide (stabilized as necessary).*	5.1	UN2014	II	OXIDIZER, CORROS
	Hydrogen peroxide, aqueous solutions *with not less than 8 per cent but less than 20 per cent hydrogen peroxide (stabilized as necessary).*	5.1	UN2984	III	OXIDIZER
	Hydrogen peroxide, stabilized *or* Hydrogen peroxide aqueous solutions, stabilized *with more than 60 per cent hydrogen peroxide.*	5.1	UN2015	I	OXIDIZER, CORROS
	Hydrogen, refrigerated liquid (*cryogenic liquid*).	2.1	UN1966		FLAMMABL GAS.
	Hydrogen selenide, anhydrous	2.3	UN2202	I	POISON GA FLAMMA GAS.
	Hydrogen sulfate, see Sulfuric acid				
	Hydrogen sulfide, liquefied	2.3	UN1053	I	POISON GA FLAMMA GAS.
	Hydroquinone	6.1	UN2662	III	KEEP AWA FROM FO
	Hydrosilicofluoric acid, see Fluorosilicic acid.				
	3-(2-Hydroxyethoxy)-4-pyrrolidin-1-ylbenzenediazonium zinc chloride.	4.1	UN3035	II	FLAMMABL SOLID.
	Hydroxyl amine iodide	Forbidden			
AW	Hydroxylamine sulfate	8	UN2865	III	CORROSIV

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
CORROSIVE, POISON.	B12, T24, T27.	None	163	243	Forbidden	Forbidden	1	5	40
NONFLAMMABLE GAS, CORROSIVE.	B13	306	304	244	Forbidden	Forbidden	1	5	40, 85
OXIDIZER, CORROSIVE.	B12, B17, B28, N1, N11, N41, T14.	None	202	243	Forbidden	Forbidden	1	5	25, 46, 75
OXIDIZER, CORROSIVE.	A2, B12, B17, B28, N1, N11, N41, T14.	None	202	243	1 L	5 L	1	5	25, 46, 75
OXIDIZER	A1, N41, 17.	152	203	241	2.5 L	30 L	1,2	1	25, 46, 75
OXIDIZER, CORROSIVE.	B12, B17, B28, N1, N11, N41, T15.	None	201	243	Forbidden	Forbidden	1	5	25, 46, 75
FLAMMABLE GAS.		None	316	318, 319	Forbidden	Forbidden	5	5	40, 85
POISON GAS, FLAMMABLE GAS.	10	None	192	245	Forbidden	Forbidden	1	5	40, 95
POISON GAS, FLAMMABLE GAS.	10	None	304	314	Forbidden	Forbidden	1	5	34, 40, 95
KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
FLAMMABLE SOLID.		None	214	240	Forbidden	Forbidden	1	5	2
CORROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Hypochlorite solutions *with more than 5 per cent but less than 16 per cent available chlorine.*	8	UN1791	III	CORROSIVE.
	Hypochlorite solutions *with not less than 16 per cent available chlorine.*	8	UN1791	II	CORROSIVE.
	Hyponitrous acid	Forbidden			
	Igniter for aircraft thrust device *for assisted take-off.*	4.1	UN2792	II	FLAMMABLE SOLID.
	Igniter fuse, metal clad, see Fuse, igniter, tubular, metal clad.				
	Igniters	1.1G	UN0121		
	Igniters	1.2G	UN0314		
	Igniters	1.3G	UN0315		
	Igniters *Iminobispropylamine, see* 3,3-Iminodipropylamine.	1.4G	UN0325		
	3,3'-Iminodipropylamine	8	UN2269	III	CORROSIVE.
I	Infectious substances, affecting animals *only* (*See also* Etiologic agent, n.o.s.).	6.2	UN2900		INFECTIOUS SUBSTANCE.
I	Infectious substances, affecting humans (*See also* Etiologic agent, n.o.s.).	6.2	UN2814		INFECTIOUS SUBSTANCE.
	Inflammable, see Flammable				
	Initiating explosives (dry)	Forbidden			
	Ink, *printer's, flammable*	3	UN1210	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Inositol hexanitrate (dry)	Forbidden			
	Insecticide gases, n.o.s.	2.2	UN1968		NONFLAMMABLE GAS.
	Insecticide gases, toxic, n.o.s.	2.3	UN1967	I	POISON GAS
	Inulin trinitrate (dry)	Forbidden			
	Iodine azide (dry)	Forbidden			
	Iodine monochloride	8	UN1792	II	CORROSIVE.
	Iodine pentafluoride	5.1	UN2495	I	OXIDIZER, POISON.
	2-Iodobutane	3	UN2390	II	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ROSIVE	N34, T7	154	203	241	5 L	60 L	1,2	1	
ROSIVE	B2, B15, B37, N26, N34, T7.	154	202	242	1 L	30 L	1,2	1	
MABLE LID.		None	180	None	Forbidden	50 kg	1,3	5	
OSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	
CTIOUS BSTANCE.		196	196	None	50 ml or 50 g.	4 L or 4 kg	5	5	
CTIOUS BSTANCE.		196	196	None	50 ml or 50 g.	4 L or 4 kg	5	5	
MABLE UID.	T7, T30,	150	173	242	5 L	60 L	1,3	1	
MABLE UID.	B1, T7, T30.	150	173	242	60 L	220 L	1,3	1,3	
LAMMA- GAS.	B13	306	304	244	75 kg	150 kg	1,3	1,3	85
ON GAS	10	None	193, 334	245	Forbidden	Forbidden	1	5	25, 40, 95
OSIVE	B6, N16, N34, N41, T8, T26.	None	202	242	Forbidden	50 kg	1	5	40
ZER, SON.		None	205	243	Forbidden	2.5 L	1	5	13, 40
MABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Iodomethylpropanes	3	UN2391	II	FLAMMABLE LIQUID.
	Iodopropanes	3	UN2392	II	FLAMMABLE LIQUID.
	.....	.....	.....	III	FLAMMABLE LIQUID.
	Iodoxy compounds (dry)	Forbidden	.....	.....	
	Iridium nitratopentamine iridium nitrate	Forbidden	.....	.....	
	Iron chloride, see Ferric chloride	.....	.....	.....	
	Iron oxide, spent, *or* Iron sponge, spent (*obtained from coal gas purification*).	4.2	UN1376	III	SPONTANEOUSLY COMBUSTIBLE.
	Iron pentacarbonyl	6.1	UN1994	I	POISON, FLAMMABLE LIQUID.
	Iron sesquichloride, see Ferric chloride	.....	.....	.....	
	Irritating agents, see Tear gas substances, *etc.*,	.....	.....	.....	
	Isobutane *or* Isobutane mixtures *see also* Petroleum gases, liquified.	2.1	UN1969	.....	FLAMMABLE GAS.
	Isobutanol *or* Isobutyl alcohol	3	UN1212	III	FLAMMABLE LIQUID.
	Isobutyl acetate	3	UN1213	II	FLAMMABLE LIQUID.
	Isobutyl acrylate	3	UN2527	III	FLAMMABLE LIQUID.
	Isobutyl alcohol, *see* Isobutanol	.....	.....	.....	
	Isobutyl aldehyde, *see* Isobutyraldehyde	.....	.....	.....	
	Isobutylamine	3	UN1214	II	FLAMMABLE LIQUID.
	Isobutylene *see also* Petroleum gases, liquified.	2.1	UN1055	.....	FLAMMABLE GAS.
	Isobutyl formate	3	UN2393	II	FLAMMABLE LIQUID.
	Isobutyl isobutyrate	3	UN2528	III	FLAMMABLE LIQUID.
	Isobutyl isocyanate	3	UN2486	II	FLAMMABLE LIQUID, POISON.
	Isobutyl methacrylate	3	UN2283	III	FLAMMABLE LIQUID.
	Isobutyl propionate	3	UN2394	III	FLAMMABLE LIQUID.
	Isobutyraldehyde *or* Isobutyl aldehyde	3	UN2045	II	FLAMMABLE LIQUID.
	Isobutyric acid	3	UN2529	III	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	
MABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	40
MABLE UID.		150	203	241	60 L	220 L	1,2	1,2	
TANE-SLY MBUSTI-.	B18	None	213	240	Forbidden	Forbidden	1,3	5	
ON, MMABLE UID.	B14, B30, 10.	None	192	244	Forbidden	Forbidden	1	5	21, 25, 40, 95
MABLE S.		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
MABLE UID.	T1	150	203	241	60 L	220 L	1,3	1	
MABLE UID.	T1	150	202	242	5 L	60 L	1,3	1	
MABLE UID.	T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	40
MABLE S.		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
MABLE UID.	T1	150	202	242	5 L	60 L	1,3	1	
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE UID, SON.	T9	None	202	243	1 L	60 L	1	5	12, 40, 48
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE UID.	T1	150	203	242	60 L	220 L	1,3	1	
MABLE UID.	T8	150	202	242	5 L	60 L	1,3	5	12, 40
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Isobutyric anhydride	3	UN2530	III	FLAMMABLE LIQUID.
	Isobutyronitrile	3	UN2284	II	FLAMMABLE LIQUID, POISON.
	Isobutyryl chloride	3	UN2395	II	FLAMMABLE LIQUID, CORROSIVE.
	Isocyanates, n.o.s. *or* Isocyanate solutions, n.o.s. *boiling point not less than 300deg C.*	6.1	UN2207	III	KEEP AWAY FROM FOOD
	Isocyanates, n.o.s. *or* Isocyanate solutions, n.o.s., *flash point more than 60.5deg C and boiling point less than 300deg C.*	6.1	UN2206	II	POISON.
	Isocyanates, n.o.s. *or* Isocyanate solutions, n.o.s., *flash point not less than 23deg C but not more than 60.5deg C and boiling point less than 300deg C.*	6.1	UN2206	II	POISON, FLAMMABLE LIQUID.
	Isocyanates, n.o.s. *or* Isocyanate solutions, n.o.s., *flash point less than 23deg C.*	3	UN2478	I	FLAMMABLE LIQUID, POISON.
	.....	.....	.....	II	FLAMMABLE LIQUID, POISON.
	Isocyanatobenzotrifluorides	6.1	UN2285	II	POISON.
	Isoheptene	3	UN2287	II	FLAMMABLE LIQUID.
	Isohexene	3	UN2288	II	FLAMMABLE LIQUID.
	Isononanoyl peroxide, see Di-(3,3,5-trimethylhexanoyl) peroxide.	.....	.....		
	Isooctane, see Octanes	.....	.....		
	Isooctene	3	UN1216	II	FLAMMABLE LIQUID.
	Isopentane, *see* n-Pentane	.....	.....		
	Isopentanoic acid, see Corrosive liquids, n.o.s..	.....	.....		
	Isopentenes	3	UN2371	I	FLAMMABLE LIQUID.
AW	Isophoronediamine	8	UN2289	III	CORROSIVE.
	Isophoronediisocyanate	6.1	UN2290	III	KEEP AWAY FROM FOOD
	Isoprene, inhibited	3	UN1218	I	FLAMMABLE LIQUID.
	Isopropanol *or* Isopropyl alcohol	3	UN1219	II	FLAMMABLE LIQUID.
	Isopropenyl acetate	3	UN2403	II	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID, DISON.	T17	None	202	243	1 L	60 L	1,3	5	12, 40
MMABLE QUID, ORROSIVE.	T9, T26	None	202	243	1 L	5 L	1	1	13, 25, 40
P AWAY ROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34, 48
SON	T15	None	202	243	5 L	60 L	1,3	1	25, 40, 95
SON, LAMMABLE QUID.	T15	None	202	243	5 L	60 L	1,3	1	22, 25, 40, 95
MMABLE QUID, DISON.	B40, N1, N26.	None	201	243	Forbidden	Forbidden	1	5	12, 40, 48
MMABLE QUID, DISON.	N1, N26	None	202	243	1 L	60 L	1	5	12, 40, 48
SON	T14	None	202	243	5 L	60 L	1,2	1	25, 40, 95
MMABLE QUID.	T7	150	202	242	5 L	60 L	1,3	5	12
MMABLE QUID.	T7	150	202	242	5 L	60 L	1,3	5	12
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	N15, T20	150	201	243	1 L	30 L	1,3	5	12
IROSIVE	T8	154	203	241	5 L	60 L	1,2	1,2	8
P AWAY ROM FOOD.	T8	153	203	241	60 L	220 L	1,2	1	34, 40
MMABLE QUID.	T20	150	201	243	1 L	30 L	1,3	5	12
MMABLE QUID.	T1	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	T1	150	202	242	5 L	60 L	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Isopropenyl benzene	3	UN2303	III	FLAMMABLE LIQUID.
	Isopropyl acetate	3	UN1220	II	FLAMMABLE LIQUID.
	Isopropyl acid phosphate	8	UN1793	III	CORROSIVE.
	Isopropyl alcohol, *see* Isopropanol				
	Isopropylamine	3	UN1221	I	FLAMMABLE LIQUID.
	Isopropylbenzene	3	UN1918	III	FLAMMABLE LIQUID.
	Isopropyl butyrate	3	UN2405	III	FLAMMABLE LIQUID.
	Isopropyl chloroacetate	3	UN2947	III	FLAMMABLE LIQUID.
	Isopropyl chloroformate	3	UN2407	I	FLAMMABLE LIQUID, POISON, CORROSIVE.
	Isopropyl-2-chloropropionate	3	UN2934	III	FLAMMABLE LIQUID.
	Isopropylcumyl hydroperoxide *or* Diisopropylbenzene hydroperoxide, *not more than 72 per cent in solution.*	5.2	UN2171	I	ORGANIC PEROXIDE.
	Isopropylcumyl hydroperoxide, more than 72 per cent in solution.	Forbidden			
	Isopropyl isobutyrate	3	UN2406	II	FLAMMABLE LIQUID.
	Isopropyl isocyanate	3	UN2483	I	FLAMMABLE LIQUID, POISON.
	Isopropyl mercaptan, see Propanethiols				
	Isopropyl nitrate	3	UN1222	II	FLAMMABLE LIQUID.
	Isopropyl peroxydicarbonate, *see* Diisopropyl peroxydicarbonate, *etc.*.				
	Isopropyl phosphonic acid, see Isopropyl acid phosphate.				
	Isopropyl propionate	3	UN2409	II	FLAMMABLE LIQUID.
	Isosorbide dinitrate mixture *with not less than 60 per cent lactose, mannose, starch or calcium hydrogen phosphate.*	4.1	UN2907	II	FLAMMABLE SOLID.
	Isothiocyanic acid	Forbidden			
	Jet fuel, see Fuel aviation, turbine engine				
	Jet perforating guns, charged *oil well, without detonator.*	1.1D	UN0124		
	Jet perforators, see Charges, shaped, commercial.				

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MABLE UID.	T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE UID.	T1	150	202	242	5 L	60 L	1,3	1	
ROSIVE	T7	154	213	240	25 kg	100 kg	1,2	1,2	
MABLE UID.	T20	None	201	243	1 L	30 L	1,3	5	12, 40
MABLE UID.	T1	150	203	242	60 L	220 L	1,3	1	
MABLE UID.	T1	150	203	242	60 L	220 L	1,3	1	
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE UID, SON, RROSIVE.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,3	1	40
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
NIC OXIDE.	B21, T25	None	225	243	1 L	5 L	1	5	12, 40
MABLE UID.	T1	150	202	242	5 L	60 L	1,3	1	
MABLE UID, SON.	N15, N26, T18, T26.	None	201	243	Forbidden	30 L	1	5	12, 40
MABLE UID.	T25	150	202	None	5 L	60 L	1,3	1	
MABLE UID.	T1	150	202	242	5 L	60 L	1,3	1	
MABLE LID.		None	212	None	15 kg	50 kg	1,3	5	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Jet tappers, without detonator, see Charges, shaped commercial, etc..				
	Jet thrust igniters, for rocket motors or Jato, see Igniters.				
	Jet thrust unit (Jato), see Rocket motors				
	Kerosene	3	UN1223	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Ketones, liquid, n.o.s.	3	UN1224	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Krypton, compressed	2.2	UN1056		NONFLAMMABLE GAS.
	Krypton, refrigerated liquid	2.2	UN1970		NONFLAMMABLE GAS.
D	Lacquer base, *or* Lacquer chips, dry	4.1	NA2557	II	FLAMMABLE SOLID.
	Lacquer base or lacquer chips, nitrocellulose, dry, see Nitrocellulose, *etc.* (*UN 2557*).				
	Lacquer base or lacquer chips, plastic, wet with alcohol or solvent, see Nitrocellulose (*UN 2059, 2060, 2555, 2556*) *or* Paint *etc.* (*UN1263*).				
	Lauroyl peroxide, *see* Dilauroyl peroxide				
	Lead acetate	6.1	UN1616	III	KEEP AWAY FROM FOOD.
	Lead arsenates	6.1	UN1617	II	POISON.
	Lead arsenites	6.1	UN1618	II	POISON.
	Lead azide (*dry*)	Forbidden			
	Lead azide, wetted *with not less than 20 per cent water, by weight, or mixture of alcohol and water.*	1.1A	UN0129		
	Lead compounds, soluble, n.o.s.	6.1	UN2291	III	KEEP AWAY FROM FOOD.
	Lead cyanide	6.1	UN1620	II	POISON.
	Lead dioxide	5.1	UN1872	III	OXIDIZER
	Lead dross, see Lead sulphate, *with more than 3% free acid.*				
	Lead nitrate	5.1	UN1469	II	OXIDIZER, POISON.
	Lead nitroresorcinate (*dry*)	Forbidden			
	Lead perchlorate	5.1	UN1470	II	OXIDIZER, POISON.
	Lead peroxide, see Lead dioxide				

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(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MABLE UID.	T1	150	202	242	5 L	60 L	1,3	1	
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE UID.	T8, T30	150	202	242	5 L	60 L	1,3	1	12
MABLE UID.	B1, T7, T31.	150	203	242	60 L	220 L	1,3	1,3	
FLAMMA- E GAS.	B13	306	302	244	75 kg	150 kg	1,3	1,3	85
FLAMMA- E GAS.	B13	320		244	50 kg	500 kg	1,3	1,3	85
MABLE LID.	A19, N16	151	212	240	1 kg	15 kg	1	1	
AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
ON		None	212	242	25 kg	100 kg	1,2	1,2	26, 95
ZER	A1	152	213	240	25 kg	100 kg	1,2	1,2	34
ZER, SON.		None	212	242	5 kg	25 kg	1,2	1,2	95
ZER, SON.	T8	None	212	242	5 kg	25 kg	1,2	1,2	46, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Lead phosphite, dibasic	4.1	UN2989	II	FLAMMABLE SOLID.
	Lead picrate (dry)	Forbidden			
	Lead styphnate (dry)	Forbidden			
	Lead styphnate (Lead trinitroresorcinate), wetted *with not less than 20 per cent water, by weight (or mixture of alcohol and water).*	1.1A	UN0130		
	Lead sulfate *with more than 3 per cent free acid.*	8	UN1794	II	CORROSIVE.
D	Lead sulfide	6.1	NA2291	III	KEEP AWAY FROM FOOD.
	Lead trinitroresorcinate, *see* Lead styphnate, *etc.*.				
	Life-saving appliances, not self inflating *containing hazardous materials as equipment.*	9	UN3072		CLASS 9
	Life-saving appliances, self inflating	9	UN2990		CLASS 9
	Lighter replacement cartridges containing liquefied petroleum gases (and similar devices, each not exceeding 65 grams), see Lighters for cigars, cigarettes, *etc. with flammable gas.*				
	Lighters for cigars, cigarettes, *etc. with flammable gas; or* Flammable gas in lighters.	2.1	UN1057		FLAMMABLE GAS.
D	Lighters for cigars, cigarettes, *etc., with lighter fluids.*	3	NA1226	II	FLAMMABLE LIQUID.
	Lighters, fuse	1.4S	UN0131		
	Lime, unslaked, see Calcium oxide				
	Liquefied gases, *non-flammable charged with nitrogen, carbon dioxide or air.*	2.2	UN1058		NONFLAMMABLE GAS.
	Liquefied hydrocarbon gas, see Hydrocarbon gases, liquefied, n.o.s., *etc.*.				
	Liquefied natural gas, see Methane, *etc. (UN 1972).*				
	Liquefied petroleum gas *see* Petroleum gases, liquefied.				
	Lithium	4.3	UN1415	II	DANGEROUS WHEN WET.
	Lithium acetylide ethylenediamine complex, see Substances which in contact with water emit flammable gases.				

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
IMABLE LID.		None	212	240	5 kg	25 kg	1,3	1	34
ROSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	
S 9			219	None	No limit	No limit	1,2	1,2	
S 9			219	None	No limit	No limit	1,2	1,2	
MABLE S.	21	None	308	None	1 kg	15 kg	1	1	40
MABLE UID.	N72	150	202	None	Forbidden	Forbidden	1,3	1	12
FLAMMA- E GAS.	B13	306	304	244	75 kg	150 kg	1,3	1,3	85
EROUS EN WET.	A19, N16, N26, N34, N45, 22.	None	212	None	Forbidden	50 kg	1	5	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Lithium alkyls	4.2	UN2445	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.
	Lithium aluminum hydride	4.3	UN1410	I	DANGEROUS WHEN WET.
	Lithium aluminum hydride, ethereal	4.3	UN1411	I	DANGEROUS WHEN WET, FLAMMABLE LIQUID.
	Lithium amide	4.3	UN1412	II	DANGEROUS WHEN WET.
D	Lithium batteries	4.3	NA1415	II	DANGEROUS WHEN WET.
	Lithium borohydride	4.3	UN1413	I	DANGEROUS WHEN WET.
	Lithium ferrosilicon	4.3	UN2830	II	DANGEROUS WHEN WET.
	Lithium hydride	4.3	UN1414	I	DANGEROUS WHEN WET.
	Lithium hydride, fused solid	4.3	UN2805	II	DANGEROUS WHEN WET.
	Lithium hydroxide, monohydrate	8	UN2680	II	CORROSIVE.
	Lithium hydroxide, solution	8	UN2679	II	CORROSIVE.
	Lithium hypochlorite, dry *or* Lithium hypochlorite mixtures.	5.1	UN1471	II	OXIDIZER
	Lithium in cartridges, see Lithium				
	Lithium nitrate	5.1	UN2722	III	OXIDIZER
	Lithium nitride	4.3	UN2806	I	DANGEROUS WHEN WET.
	Lithium peroxide	5.1	UN1472	II	OXIDIZER
	Lithium silicon	4.3	UN1417	II	DANGEROUS WHEN WET.
	LNG, see Methane *etc.* (*UN 1972*)				
	London Purple	6.1	UN1621	II	POISON.
	LPG, see Petroleum gases, liquefied				
	Lye, see Sodium hydroxide, solutions				
	Magnesium *or* Magnesium alloys *with more than 50 per cent magnesium in pellets, turnings or ribbons.*	4.1	UN1869	III	FLAMMABLE SOLID.
	Magnesium alkyls	4.2	UN3053	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.
	Magnesium aluminum phosphide	4.3	UN1419	I	DANGEROUS WHEN WET.

abels (6)	Special provisions (7)	(8) Packaging authorizations (§173.***) Exceptions (8A)	Non-bulk packaging (8B)	Bulk packaging (8C)	(9) Quantity limitations Passenger aircraft or railcar (9A)	Cargo aircraft only (9B)	(10) Vessel stowage requirements Cargo vessel (10A)	Passenger vessel (10B)	Other stowage provisions (10C)
TANE-LY IBUSTI-	B11, T28, T40.	None	181	244	Forbidden	Forbidden	1	5	
GEROUS EN WET.									
EROUS	A19	None	211	242	Forbidden	15 kg	1	5	
EN WET.									
EROUS EN WET, MMABLE IID.	A2, N1, N16, N34, N40.	None	201	244	Forbidden	1 L	1	5	40
EROUS		None	212	None	15 kg	50 kg	1	5	
EN WET.									
EROUS		None	185	None	Forbidden	35 kg	1,3	5	
EN WET.									
EROUS	A19	None	211	242	Forbidden	15 kg	1,3	5	
EN WET.									
EROUS	A19	None	212	241	15 kg	50 kg	1,3	5	
EN WET.									
EROUS	A19	None	211	242	Forbidden	15 kg	1	5	
EN WET.									
EROUS	A19, A20, N2.	None	212	241	15 kg	50 kg	1	5	
EN WET.									
OSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
OSIVE	B2, T8	154	202	242	1 L	30 L	1,2	1,2	96
ZER	N13, N34	152	212	None	5 kg	25 kg	1,2	1,2	
ZER	A1	152	213	240	25 kg	100 kg	1,2	1,2	
EROUS	A19	None	211	242	Forbidden	15 kg	1,3	5	
EN WET.									
ZER	N13, N34	152	212	None	5 kg	25 kg	1,2	1,2	13
EROUS	A19, A20	None	212	241	15 kg	50 kg	1,3	1,3	
EN WET.									
N		None	212	242	25 kg	100 kg	1,2	1,2	95
MABLE	A1	151	213	240	25 kg	100 kg	1,3	1,3	39
ID.									
TANE-LY IBUSTI-	B11, T28, T29, T42.	None	181	244	Forbidden	Forbidden	1	5	18
GEROUS EN WET.									
EROUS	A19, N34	None	211	242	Forbidden	15 kg	1,3	5	40, 85
EN WET.									

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Magnesium arsenate	6.1	UN1622	II	POISON
	Magnesium bisulfite solution, *see* Bisulfites, inorganic aqueous solutions, n.o.s.				
	Magnesium bromate	5.1	UN1473	II	OXIDIZER
	Magnesium chlorate	5.1	UN2723	II	OXIDIZER
	Magnesium diamide	4.2	UN2004	II	SPONTANEOUSLY COMBUSTIBLE.
	Magnesium diphenyl	4.2	UN2005	I	SPONTANEOUSLY COMBUSTIBLE.
	Magnesium dross, wet or hot	Forbidden			
	Magnesium fluorosilicate	6.1	UN2853	III	KEEP AWAY FROM FOOD.
	Magnesium granules, coated, *particle size not less than 149 microns.*	4.3	UN2950	III	DANGEROUS WHEN WET.
	Magnesium hydride	4.3	UN2010	I	DANGEROUS WHEN WET.
	Magnesium nitrate	5.1	UN1474	III	OXIDIZER
	Magnesium perchlorate	5.1	UN1475	II	OXIDIZER
	Magnesium peroxide	5.1	UN1476	II	OXIDIZER
	Magnesium phosphide	4.3	UN2011	I	DANGEROUS WHEN WET, POISON.
	Magnesium, powder *or* Magnesium alloys, powder.	4.3	UN1418	II	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE.
	Magnesium scrap, see Magnesium, *etc.* (*UN 1869*).				
	Magnesium silicide	4.3	UN2624	II	DANGEROUS WHEN WET.
	Magnetized material. See 173.21				
D	Maleic acid	8	NA2215	III	CORROSIVE
	Maleic anhydride	8	UN2215	III	CORROSIVE
	Malononitrile	6.1	UN2647	II	POISON
	Maneb *or* Maneb preparations, *stabilized against self-heating.*	4.3	UN2968	III	DANGEROUS WHEN WET.
	Maneb *or* Maneb preparations *with not less than 60 per cent maneb.*	4.2	UN2210	III	SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.
	Manganese nitrate	5.1	UN2724	III	OXIDIZER

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
IZER	A1	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
IZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
NTANE-SLY MBUSTI-E.	A19, A20, N2.	None	212	241	15 kg	50 kg	1	1	
NTANE-SLY MBUSTI-E.		None	211	244	Forbidden	Forbidden	1	1	
AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	26, 34
GEROUS EN WET.	A1, A19	None	213	None	25 kg	100 kg	1,3	1,3	
GEROUS EN WET.	A19	None	211	242	Forbidden	15 kg	1	5	
IZER	A1, T2	152	213	240	25 kg	100 kg	1,2	1,2	
IZER	B10, T8	152	212	240	5 kg	25 kg	1,2	1,2	46
IZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	13
GEROUS EN WET, ISON.	A19	None	211	None	Forbidden	15 kg	1,3	5	85
GEROUS EN WET, ONTANE-SLY MBUSTI-E.	A19	None	212	241	15 kg	50 kg	1,3	1,3	39
GEROUS EN WET.	A19, A20	None	212	241	15 kg	50 kg	1,3	1	
ROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
ROSIVE	T7, T38	154	213	240	25 kg	100 kg	1,2	1,2	34, 40
ON		None	212	240	25 kg	100 kg	1,3	1,3	12, 95
GEROUS EN WET.	A1, A19	None	213	240	25 kg	100 kg	1,3	1	34
NTANE-SLY MBUSTI-E, NGEROUS EN WET.	A1, A19	None	213	240	25 kg	100 kg	1,3	1,3	12, 13, 34
IZER	A1	152	213	240	25 kg	100 kg	1,2	1,2	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Manganese resinate	4.1	UN1330	III	FLAMMABLE SOLID.
	Mannitan tetranitrate	Forbidden			
	Mannitol hexanitrate (dry)	Forbidden			
	Mannitol hexanitrate (Nitromannite), wetted *with not less than 40 per cent water, by weight or mixture of alcohol and water.*	1.1D	UN0133		
	Matches, block, see Matches, 'strike anywhere'.				
	Matches, fusee	4.1	UN2254	III	FLAMMABLE SOLID.
	Matches, safety (*book, card or strike on box*).	4.1	UN1944	III	FLAMMABLE SOLID.
	Matches, 'strike anywhere'	4.1	UN1331	III	FLAMMABLE SOLID.
	Matches, wax, 'Vesta'	4.1	UN1945	III	FLAMMABLE SOLID.
	Matting acid, see Sulfuric acid				
	Medicines, *corrosive, liquid,* n.o.s.	8	UN1851	II	CORROSIVE.
				III	CORROSIVE.
	Medicines, *corrosive, solid,* n.o.s.	8	UN1851	II	CORROSIVE.
				III	CORROSIVE.
	Medicines, *flammable, liquid,* n.o.s.	3	UN1851	I	FLAMMABLE LIQUID.
				II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Medicines, *flammable, solid,* n.o.s.	4.1	UN1851	II	FLAMMABLE SOLID.
	Medicines, *oxidizing substance, solid,* n.o.s.	5.1	UN1851	II	OXIDIZER
	Medicines, *poisonous, liquid,* n.o.s.	6.1	UN1851	I	POISON
				II	POISON
				III	KEEP AWAY FROM FOO
	Medicines, *poisonous, solid,* n.o.s.	6.1	UN1851	I	POISON
				II	POISON
				III	KEEP AWAY FROM FOO
	Memtetrahydrophthalic anhydride, see Corrosive liquids, n.o.s..				
	p-Menthane hydroperoxide, *see* p-Menthyl hydroperoxide, *technically pure.*				
	p-Menthyl hydroperoxide, *technically pure*	5.2	UN2125	I	ORGANIC PEROXIDE.
	Mercaptans, liquid n.o.s. *or* Mercaptan mixtures, liquid, n.o.s., *flash point not less than 23deg C.*	6.1	UN3071	I	POISON, FLAMMABL LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
LAMMABLE SOLID.	A1	151	213	240	25 kg	100 kg	1,3	1,3	
LAMMABLE SOLID.		186	186	None	Forbidden	Forbidden	1,3	1,3	
LAMMABLE SOLID.		186	186	None	25 kg	100 kg	1,3	1,3	
LAMMABLE SOLID.		186	186	None	Forbidden	Forbidden	1,3	1	
LAMMABLE SOLID.		186	186	None	25 kg	100 kg	1,3	1	
ORROSIVE	B2	154	202	242	1 L	30 L	1,2	1,2	
ORROSIVE		154	203	241	5 L	60	1,2	1,2	
ORROSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
ORROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
LAMMABLE LIQUID.		150	201	243	1 L	30 L	1,3	5	
LAMMABLE LIQUID.		150	202	242	5 L	60 L	1,3	1	
LAMMABLE LIQUID.	B1	150	203	242	60 L	220 L	1,3	1,3	
LAMMABLE SOLID.		151	212	240	15 kg	50 kg	1,3	1,3	
XIDIZER	B10	152	212	240	5 kg	25 kg			
OISON		153	201	243	1 L	30 L	1,2	1	95
OISON		153	202	243	5 L	60 L	1,2	1	95
EEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1	34
OISON		153	211	242	5 kg	50 kg	1,2	1	95
OISON		153	212	242	25 kg	100 kg	1,2	1	95
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1	34
RGANIC PEROXIDE.	B21, T9, T35.	None	225	243	1 L	5 L	1	5	12, 40
OISON, FLAMMABLE LIQUID.	B40, T42	None	202	243	1 L	30 L	1,3	1	21

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	II	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	III	KEEP AWAY FROM FOOD FLAMMABLE LIQUID.
	Mercaptans, liquid, n.o.s. *or* Mercaptan mixtures, liquid, n.o.s..	3	UN1228	II	FLAMMABLE LIQUID, POISON.
	5-Mercapto-tetrazol-1-acetic acid.....	1.4C	UN0448		
	Mercuric arsenate	6.1	UN1623	II	POISON.....
	Mercuric chloride.....	6.1	UN1624	II	POISON.....
	Mercuric compounds, see Mercury compounds, *etc.*.	.....	.....		
	Mercuric nitrate.....	6.1	UN1625	II	POISON.....
	Mercuric potassium cyanide	6.1	UN1626	I	POISON.....
	Mercuric sulfate	6.1	UN1645	II	POISON.....
	Mercuric sulfocyanate, see Mercury thiocyanate.	.....	.....		
	Mercurol, see Mercury nucleate.....	.....	.....		
	Mercurous azide.....	Forbidden	.....		
	Mercurous compounds, see Mercury compounds, *etc.*.	.....	.....		
	Mercurous nitrate	6.1	UN1627	II	POISON.....
	Mercurous sulfate.....	6.1	UN1628	II	POISON.....
	Mercury.....	8	UN2809	III	CORROSIVE....
	Mercury acetate.....	6.1	UN1629	II	POISON.....
	Mercury acetylide	Forbidden	.....		
	Mercury ammonium chloride.....	6.1	UN1630	II	POISON.....
	Mercury based pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23deg C.*	3	UN2778	I	FLAMMABLE LIQUID, POISON.
	.....	.....	.....	II	FLAMMABLE LIQUID, POISON.
	Mercury based pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23deg C.*	6.1	UN3011	I	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	II	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	III	KEEP AWAY FROM FOOD
	Mercury based pesticides, liquid, toxic, n.o.s..	6.1	UN3012	I	POISON.....
	.....	.....	.....	II	POISON.....

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
SON, LAMMABLE QUID.	T14	None	202	243	5 L	60 L	1,3	1	21
EP AWAY ROM FOOD, LAMMABLE QUID.	T14	None	202	241	60 L	220 L	1,3	1,3	
AMMABLE QUID, OISON.	N16, T14	None	202	243	Forbidden	60 L	1,3	5	12
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON	N73	None	212	242	25 kg	100 kg	1,2	1,2	95
SON	N74, N75	None	211	242	5 kg	50 kg	1,2	1,2	26, 95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
RROSIVE		164	164	240	2.5 L	2.5 L	1,2	1	40, 97
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
AMMABLE QUID, OISON.		None	201	243	Forbidden	30 L	1,3	5	
AMMABLE QUID, OISON.		None	202	243	1 L	60 L	1,3	1	
SON, LAMMABLE QUID.	T42	None	201	243	1 L	30 L	1	1	40, 95
SON, LAMMABLE QUID.	T14	None	202	243	5 L	60 L	1,2	1	40, 95
EP AWAY ROM FOOD.	T14	153	202	241	60 L	220 L	1,2	1	34, 40
SON	T42	None	201	243	1 L	30 L	1	1	40, 95
SON	T14	None	202	243	5 L	60 L	1,2	1	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	III	KEEP AWAY FROM FOOD
	Mercury based pesticides, solid, toxic, n.o.s..	6.1	UN2777	I	POISON
	.....	.....	.....	II	POSION
	.....	.....	.....	III	KEEP AWAY FROM FOOD
	Mercury benzoate	6.1	UN1631	II	POISON
	Mercury bisulfate	6.1	UN1633	II	POISON
	Mercury bromides	6.1	UN1634	II	POISON
	Mercury compounds, liquid, n.o.s.	6.1	UN2024	I	POISON
	.....	.....	.....	II	POISON
	.....	.....	.....	III	KEEP AWAY FROM FOOD
	Mercury compounds, solid, n.o.s.	6.1	UN2025	I	POISON
	.....	.....	.....	II	POISON
	.....	.....	.....	III	KEEP AWAY FROM FOOD
A	Mercury *contained in manufactured articles*..	8	UN2809	I	CORROSIVE
	Mercury cyanide	6.1	UN1636	II	POISON
	Mercury fulminate, wetted *with not less than 20 per cent water, or mixture of alcohol and water, by weight.*	1.1A	UN0135		
	Mercury gluconate	6.1	UN1637	II	POISON
	Mercury iodide aquabasic ammonobasic (iodide of Millon's base).	Forbidden	.....		
	Mercury iodide, *solid*	6.1	UN1638	II	POISON
	Mercury iodide, *solution*	6.1	UN1638	II	POISON
	Mercury nitride	Forbidden	.....		
	Mercury nucleate	6.1	UN1639	II	POISON
	Mercury oleate	6.1	UN1640	II	POISON
	Mercury oxide	6.1	UN1641	II	POISON
	Mercury oxycyanide	Forbidden	.....		
	Mercury oxycyanide, desensitized	6.1	UN1642	II	POISON
	Mercury potassium iodide	6.1	UN1643	II	POISON
	Mercury salicylate	6.1	UN1644	II	POISON
	Mercury thiocyanate	6.1	UN1646	II	POISON
	Mesityl oxide	3	UN1229	III	FLAMMABLE LIQUID.
	Metal alkyl halides, n.o.s.	4.2	UN3049	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
P AWAY ROM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
SON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
ION		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
P AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	201	243	1 L	30 L	1,2	1	40, 95
SON		None	202	243	5 L	60 L	1,2	1	40, 95
P AWAY ROM FOOD.		153	203	241	60 L	220 L	1,2	1	34, 40
SON		None	211	242	5 kg	50 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
P AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
ROSIVE		None	164	None	No limit	No limit	1,2	1	40
SON	N74, N75	None	212	242	25 kg	100 kg	1,2	1,2	26, 95
SON		None	212	242	25 kg	100 kg	a82	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	202	243	5 L	60 L	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	26, 95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
MMABLE QUID.	B1, T1	None	203	242	60 L	220 L	1,3	1	
NTANE-USLY OMBUSTI-LE, ANGEROUS HEN WET.	B11	None	181	244	Forbidden	Forbidden	1	5	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Metal alkyl hydrides, n.o.s.	4.2	UN3050	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.
	Metal alkyls, n.o.s.	4.2	UN2003	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.
D	Metal alkyl, solution, n.o.s.	3	NA9195	II	FLAMMABLE LIQUID.
	Metaldehyde	4.1	UN1332	III	FLAMMABLE SOLID.
	Metal salts of methyl nitramine (dry)	Forbidden			
	Methacrylaldehyde	3	UN2396	II	FLAMMABLE LIQUID, POISON.
	Methacrylic acid, inhibited	8	UN2531	III	CORROSIVE.
	Methacrylonitrile, inhibited	6.1	UN3079	I	POISON, FLAMMABLE LIQUID.
	Methallyl alcohol	3	UN2614	III	FLAMMABLE LIQUID.
	Methane and hydrogen, mixtures, see Hydrogen and methane, mixtures, *etc.*.				
	Methane, compressed *or* Natural gas, compressed (*with high methane content*).	2.1	UN1971		FLAMMABLE GAS.
	Methane, refrigerated liquid *or* Natural gas, refrigerated liquid (*with high methane content*) (*cryogenic liquid*).	2.1	UN1972		FLAMMABLE GAS.
	Methanol *or* Methyl alcohol	3	UN1230	II	FLAMMABLE LIQUID, POISON.
	Methazoic acid	Forbidden			
	Methoxymethyl isocyanate	3	UN2605	I	FLAMMABLE LIQUID, POISON.
	4-Methoxy-4-methylpentan-2-one	3	UN2293	III	FLAMMABLE LIQUID.
	Methyl acetate	3	UN1231	II	FLAMMABLE LIQUID.
	Methyl acetone	3	UN1232	II	FLAMMABLE LIQUID.
	Methyl acetylene and propadiene mixtures, stabilized.	2.1	UN1060		FLAMMABLE GAS.

Labels	Special provisions	(5) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ONTANE-USLY OMBUSTI-LE, ANGEROUS HEN WET.	B11	None	181	244	Forbidden	Forbidden	1	5	
ONTANE-USLY OMBUSTI-LE, ANGEROUS HEN WET.	B11	None	181	244	Forbidden	Forbidden	1	5	
MMABLE QUID.		150	202	242	1 L	4 L	1,3	1	
MMABLE OLID.	A1	151	213	240	25 kg	100 kg	1,3	1,3	
MMABLE QUID, OISON.	T8	None	202	243	1 L	60 L	1,3	5	12, 40
RROSIVE	T8	154	203	241	5 L	60 L	1,3	1,3	8, 12
SON, LAMMABLE QUID.		None	201	243	Forbidden	Forbidden	1,3	1	21
MMABLE QUID.	T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE AS.	B13	306	302	244	Forbidden	150 kg	1,3	5	40, 85
MMABLE AS.		None	316	318, 319	Forbidden	Forbidden	1	5	40
MMABLE QUID, OISON.	T8	None	202	243	1 L	60 L	1,3	1	40
MMABLE QUID, OISON.	B14, B30, 10.	None	226	244	Forbidden	Forbidden	1	5	12, 40, 48
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1	
MMABLE QUID.	T8	150	202	242	5 L	60 L	1,3	1	
MMABLE AS.		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Label
(1)	(2)	(3)	(4)	(5)	(6)
	Methyl acrylate, inhibited	3	UN1919	II	FLAMMAB LIQUID.
	Methylal	3	UN1234	II	FLAMMAB LIQUID.
	Methyl alcohol, *see* Methanol				
	Methyl allyl chloride	3	UN2554	II	FLAMMAB LIQUID.
	Methylamine, anhydrous	2.3	UN1061	II	POISON G FLAMM GAS.
	Methylamine, aqueous solution	3	UN1235	II	FLAMMAB LIQUID.
	Methylamine dinitramine and dry salts thereof.	Forbidden			
	Methylamine nitroform	Forbidden			
	Methylamine perchlorate (dry)	Forbidden			
	Methylamyl acetate	3	UN1233	III	FLAMMAB LIQUID.
	Methyl amyl ketone, see Amyl methyl ketone.				
	N-Methylaniline	6.1	UN2294	III	KEEP AW FROM F
	Methyl benzoate	6.1	UN2938	III	KEEP AW FROM F
	alpha-Methylbenzyl alcohol	6.1	UN2937	III	KEEP AW FROM F
	Methyl bromide	2.3	UN1062	I	POISON G
	Methyl bromide and chloropicrin mixtures with more than 2 per cent chloropicrin, see Chloropicrin and methyl bromide mixtures.				
	Methyl bromide and chloropicrin mixtures with not more than 2 per cent chloropicrin, see Methyl bromide.				
	Methyl bromide and ethylene dibromide mixtures, liquid.	6.1	UN1647	I	POISON...
	Methyl bromoacetate	6.1	UN2643	II	POISON...
	3-Methyl butan-2-one	3	UN2397	II	FLAMMAB LIQUID.
	3-Methyl-1-butene	3	UN2561	I	FLAMMAB LIQUID.
	2-Methyl-1-butene	3	UN2459	I	FLAMMAB LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,2	1	40
FLAMMABLE LIQUID.	T14	None	202	242	Forbidden	60 L	1,3	5	12
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	5	12, 40
POISON GAS, FLAMMABLE GAS.	B33, 10	None	304	314, 315	Forbidden	Forbidden	1,3	5	40
FLAMMABLE LIQUID.	B1, T8	150	202	242	5 L	60 L	1,3	5	12, 41
FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	95
KEEP AWAY FROM FOOD.	T1	153	203	240	60 L	220 L	1,2	1,2	
KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	1,2	1,2	
POISON GAS	B13, B14, B31, 10.	None	193	244	Forbidden	Forbidden	1,3	5	40, 81, 85, 95
POISON	B13, B14, B32, N65, 10.	None	227	244	Forbidden	Forbidden	1	1	40, 95
POISON	T8	None	202	243	5 L	60 L	1	5	12, 40, 95
FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	T20	None	201	243	1 L	30 L	1,3	5	
FLAMMABLE LIQUID.	T14	None	201	243	1 L	30 L	1,3	5	12, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	2-Methyl-2-butene	3	UN2460	II	FLAMMABL LIQUID.
	N-Methylbutylamine	3	UN2945	II	FLAMMABL LIQUID.
	Methyl-tert-butylether	3	UN2398	II	FLAMMABL LIQUID.
	Methyl butyrate	3	UN1237	II	FLAMMABL LIQUID.
	Methyl chloride	2.3	UN1063	II	POISON GA FLAMMA GAS.
	Methyl chloride and chloropicrin mixtures, see Chloropicrin and methyl chloride mixtures.				
	Methyl chloride and methylene chloride mixture.	2.1	UN1912		FLAMMABL GAS.
	Methyl chloroacetate	6.1	UN2295	II	POISON
	Methyl chlorocarbonate, see Methyl chloroformate.				
	Methyl chloroform, see 1,1,1-Trichloroethane.				
	Methyl chloroformate	3	UN1238	I	FLAMMABL LIQUID. POISON, CORROS
	Methylchloromethyl ether	3	UN1239	I	FLAMMABL LIQUID, POISON.
	Methyl-2-chloropropionate	3	UN2933	III	FLAMMABL LIQUID.
	Methyl chlorosilane	2.3	UN2534	I	FLAMMABL GAS, POI GAS.
	Methyl cyanide	3	UN1648	II	FLAMMABL LIQUID, POISON.
	Methyl cyclohexane	3	UN2296	II	FLAMMABL LIQUID.
	Methyl cyclohexanols, *flash point not more than 60.5 degrees C.*	3	UN2617	III	FLAMMABL LIQUID.
	Methyl cyclohexanone	3	UN2297	III	FLAMMABL LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE LIQUID.	T14	None	202	242	5 L	60 L	1,3	5	12
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	T14	150	202	242	5 L	60 L	1,3	1	12
FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
POISON GAS, FLAMMABLE GAS.	10, B13, B14.	None	304	314, 315	Forbidden	Forbidden	1,3	5	40, 85, 95
FLAMMABLE GAS.	B13, B38	306	304	244	Forbidden	150 kg	1,3	5	40, 85
POISON	T11	None	202	243	5 L	60 L	1,3	1,3	95
FLAMMABLE LIQUID, POISON, CORROSIVE.	B6, B14, B32, N1, N11, N26, N34, 10.	None	227	244	Forbidden	Forbidden	1,3	5	40
FLAMMABLE LIQUID, POISON.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1	5	12, 40
FLAMMABLE LIQUID.	B1, T7	150	203	242	60 L	220 L	1,3	1,3	
FLAMMABLE GAS, POISON GAS.	A2, B14, B30, NI, N15, N26, N34, 10.	None	226	244	Forbidden	Forbidden	1,3	1	40
FLAMMABLE LIQUID, POISON.	T14	None	202	243	1 L	60 L	1,3	1	40
FLAMMABLE LIQUID.	B1, T1	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	B1, T2	150	203	242	60 L	220 L	1,3	1,3	
FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Methylcyclohexanone peroxide(s) *not more than 67 per cent in solution with not more than 9 per cent available oxygen.*	5.2	UN3046	I	ORGANIC PEROXI
	Methyl cyclopentane	3	UN2298	II	FLAMMAB LIQUID.
	Methyl dichloroacetate	6.1	UN2299	III	KEEP AWA FROM F
D	Methyldichloroarsine	2.3	NA1556	II	POISON G
	Methyldichlorosilane	4.3	UN1242	I	DANGERO WHEN W CORROS POISON, FLAMMA LIQUID.
	Methylene chloride, see Dichloromethane				
	Methylene glycol dinitrate	Forbidden			
D	Methylene isocyanate	6.1	NA2929	I	POISON, FLAMMA LIQUID.
	Methyl ethyl ether see Ethyl methyl ether				
	Methyl ethyl ketone, *see* Ethyl methyl ketone.				
	Methyl ethyl ketone peroxide, in solution with more than 9 per cent by weight active oxygen.	Forbidden			
	Methyl ethyl ketone peroxide(s), *not more than 40% in diiso-butylnylonate, with not more than 8.2% available oxygen.*	5.2	UN3068	I	ORGANIC PEROXI
	Methyl ethyl ketone peroxide(s), *not more than 60 per cent in solution and not more than 9 per cent by weight active oxygen.*	5.2	UN2127	I	ORGANIC PEROXI
	Methyl ethyl ketone peroxide(s), *not more than 50 per cent in solution and not more than 9 per cent by weight active oxygen.*	5.2	UN2550	I	ORGANIC PEROXI
	2-Methyl-5-ethyl pyridine	6.1	UN2300	III	KEEP AWA FROM F
	Methyl fluoride	2.1	UN2454		FLAMMABI GAS.
	Methyl formate	3	UN1243	I	FLAMMABI LIQUID.
	2-Methylfuran	3	UN2301	II	FLAMMABI LIQUID.
	a-Methylglucoside tetranitrate	Forbidden			

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 19, 25, 40
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	
KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	1,2	1,2	34, 40
POISON GAS	B14, B32, 10.	None	192	244	Forbidden	Forbidden	1	5	40, 95
DANGEROUS WHEN WET, CORROSIVE, POISON, FLAMMABLE LIQUID.	A2, B6, B14, B32, N1, N15, N26, N34, 10.	None	227	244	Forbidden	Forbidden	1	5	21, 40, 49, 91
POISON, FLAMMABLE LIQUID.	B14, B30, 10.	None	226	244	Forbidden	Forbidden	L2	1	
ORGANIC PEROXIDE.		None	255	None	1 L	5 L	1	5	
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
ORGANIC PEROXIDE.		None	225	None	1 L	5 L	1	5	12, 40
KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34, 40
FLAMMABLE GAS.	B13	306	304	244	Forbidden	150 kg	1,3	5	40, 85
FLAMMABLE LIQUID.	T20	150	201	243	1 L	30 L	1,3	5	12
FLAMMABLE LIQUID.	T7	150	202	242	5 L	60 L	1,3	5	12

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	a-Methylglycerol trinitrate	Forbidden			
	5-Methylhexan-2-one	3	UN2302	III	FLAMMABLE LIQUID.
	Methylhydrazine	3	UN1244	I	FLAMMABLE LIQUID, POISON, CORROSIVE
	Methyl iodide	6.1	UN2644	II	POISON
	Methyl isobutyl carbinol	3	UN2053	III	FLAMMABLE LIQUID.
	Methyl isobutyl ketone	3	UN1245	II	FLAMMABLE LIQUID.
	Methyl isobutyl ketone peroxide, in solution with more than 9 per cent by weight active oxygen.	Forbidden			
	Methyl isobutyl ketone peroxide(s), *not more than 9 percent by weight active oxygen and not more than 62 per cent with phlegmatizer, or with 30 percent methal isobutyl ketone and 20 percent phlegmatizer.*	5.2	UN2126	I	ORGANIC PEROXIDE
	Methyl isocyanate *or* Methyl isocyanate solutions.	3	UN2480	I	FLAMMABLE LIQUID, POISON.
	Methyl isopropenyl ketone, inhibited	3	UN1246	II	FLAMMABLE LIQUID.
	Methyl isothiocyanate	3	UN2477	I	FLAMMABLE LIQUID, POISON.
	Methyl isovalerate	3	UN2400	II	FLAMMABLE LIQUID.
	Methyl magnesium bromide, in ethyl ether	4.2	UN1928	I	SPONTANEOUSLY COMBUSTIBLE.
	Methyl mercaptan	2.3	UN1064	I	POISON GAS FLAMMABLE GAS.
	Methyl methacrylate monomer, inhibited	3	UN1247	II	FLAMMABLE LIQUID.
	Methylmorpholine	3	UN2535	II	FLAMMABLE LIQUID, CORROSIVE
	Methyl nitramine (dry),	Forbidden			
	Methyl nitrite	Forbidden			

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
FLAMMABLE LIQUID, POISON, CORROSIVE.	B14, B32, N15, N34, 10.	None	227	244	Forbidden	Forbidden	1,3	5	49
POISON	T14	None	202	243	5 L	60 L	1,3	1,3	12, 40, 95
FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
ORGANIC PEROXIDE.		None	225	None	1 L	5 L	1	5	12, 40
FLAMMABLE LIQUID, POISON.	B14, B30, N15, N26, 10.	None	226	244	Forbidden	Forbidden	1	5	12, 40, 48
FLAMMABLE LIQUID.	T7	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID, POISON.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1	1,3	12, 40, 48, 95
FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
SPONTANEOUSLY COMBUSTIBLE.	N15	None	201	243	Forbidden	Forbidden	1	5	
POISON GAS, FLAMMABLE GAS.	10, B7, B14, B31.	None	304	314, 315	Forbidden	Forbidden	1,3	1	40, 85, 95
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	40
FLAMMABLE LIQUID, CORROSIVE.	B6, T8	None	202	243	1 L	5 L	1,3	1	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Methyl norbornene dicarboxylic anhydride, see Corrosive liquids, n.o.s..				
	Methyl orthosilicate	3	UN2606	I	FLAMMAB LIQUID, POISON
D	Methyl parathion *liquid*	6.1	NA2783	II	POISON....
D	Methyl parathion *solid*	6.1	NA2783	II	POISON....
	Methylpentadiene	3	UN2461	II	FLAMMAB LIQUID.
	Methylpentanes, see Hexanes				
	2-Methylpentan-2-ol	3	UN2560	III	FLAMMAB LIQUID.
	Methylphenyldichlorosilane	8	UN2437	II	CORROSIV
D	Methyl phosphonic dichloride	8	NA9206	I	CORROSIV POISON
	Methyl phosphonothioic dichloride, anhydrous, see Corrosive liquid, n.o.s..				
D	Methyl phosphonous dichloride, *pyrophoric liquid.*	6.1	NA2845	I	POISON, SPONTA OUSLY COMBUS BLE, CORROS
	Methyl picric acid (heavy metal salts of)	Forbidden			
	1-Methylpiperidine	3	UN2399	II	FLAMMAB LIQUID.
	Methyl propionate	3	UN1248	II	FLAMMAB LIQUID.
	Methyl propyl ether	3	UN2612	II	FLAMMAB LIQUID.
	Methyl propyl ketone	3	UN1249	II	FLAMMAB LIQUID.
	Methyl sulfate, see Dimethyl sulfate				
	Methyl sulfide, see Dimethyl sulfide				
	Methyltetrahydrofuran	3	UN2536	II	FLAMMAB LIQUID.
	Methyl trichloroacetate	6.1	UN2533	III	KEEP AWA FROM F
	Methyltrichlorosilane	3	UN1250	I	FLAMMAB LIQUID, POISON CORROS

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE LIQUID, POISON.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,3	5	12, 40
POISON	N76	None	202	243	Forbidden	1 L	1,3	1,3	
POISON	N77	None	212	242	25 kg	100 kg	1,2	1,2	
FLAMMABLE LIQUID.	T7	150	202	241	5 L	60 L	1,3	5	12
FLAMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1	
CORROSIVE	T8, T26	154	202	242	1 L	30 L	1	1	13, 40
CORROSIVE, POISON.	B8, B25, B32, N1, N15, N34, N43, 10.	None	227	244	Forbidden	Forbidden	1	1	
POISON, SPONTANEOUSLY COMBUSTIBLE, CORROSIVE.	B8, B14, B16, B32, 10.	None	181	244	Forbidden	Forbidden	1	5	18
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	T2	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	T14	150	202	242	5 L	60 L	1,3	5	12, 40
FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	T7	150	202	242	5 L	60 L	1,3	1	
KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	1,2	1,2	34
FLAMMABLE LIQUID, POISON, CORROSIVE.	B6, B14, B32, N26, N34, 10.	None	227	244	Forbidden	Forbidden	1,3	1	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labe
(1)	(2)	(3)	(4)	(5)	(6)
	Methyl trimethylol methane trinitrate	Forbidden			
	alpha-Methyl valeraldehyde	3	UN2367	III	FLAMMAB LIQUID.
	Methyl vinyl ketone	3	UN1251	II	FLAMMAB LIQUID.
	Mine rescue equipment containing carbon dioxide, see Carbon dioxide.				
	Mines *with bursting charge*	1.1F	UN0136		
	Mines *with bursting charge*	1.1D	UN0137		
	Mines *with bursting charge*	1.2D	UN0138		
	Mines *with bursting charge*	1.2F	UN0294		
	Mixed acid, see Nitrating acid, mixtures				
	Molybdenum pentachloride	8	UN2508	III	CORROS
	Monochloroacetone (unstabilized)	Forbidden			
	Monochloroethylene, see Vinyl chloride				
	Monoethanolamine, see Ethanolamine				
	Monoethylamine, see Ethylamine				
	Morpholine	3	UN2054	III	FLAMMAB LIQUID.
	Morpholine, aqueous, mixture, see Corrosive liquid, n.o.s..				
	Motorcycles, see Vehicles, self-propelled				
	Motor fuel anti-knock mixtures	6.1	UN1649	I	POISON, FLAMM LIQUID.
	Motor spirit, *see* Gasoline				
	Motor vehicle, see Vehicles, self-propelled				
	Muriatic acid, see Hydrochloric acid solution.				
	Musk xylene, *see* 5-tert-Butyl2,4,6-trinitro-m-xylene.				
	Naphtha	3	UN2553	I	FLAMMAB LIQUID.
				II	FLAMMAB LIQUID.
				III	FLAMMAB LIQUID.
	Naphthalene, crude *or* refined	4.1	UN1334	III	FLAMMAB SOLID.
	Naphthalene diozonide	Forbidden			
	Naphthalene, molten	4.1	UN2304	III	FLAMMAB SOLID.
	Naphtha, *petroleum*	3	UN1255	I	FLAMMAB LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	
CORROSIVE	T8, T26	154	213	240	25 kg	100 kg	1	1	8, 40
FLAMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1	
POISON, FLAMMABLE LIQUID.	B9, B11, B12, B43, T25, T39.	None	201	244	Forbidden	30 L	1	5	22, 40, 95
FLAMMABLE LIQUID.	T8, T31	150	201	243	1 L	30 L	1,3	5	
FLAMMABLE LIQUID.	T8, T31	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
FLAMMABLE SOLID.	A1	151	213	240	25 kg	100 kg	1,3	1,3	
FLAMMABLE SOLID.	A1, T8, T38.	151	213	241	25 kg	100 kg	1	1	
FLAMMABLE LIQUID.	T8	150	201	243	1 L	30 L	1,3	5	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	II	FLAMMAB LIQUID.
	.....	.....	.....	III	FLAMMAB LIQUID.
	Naphtha, *solvent*	3	UN1256	II	FLAMMAB LIQUID.
	.....	.....	.....	III	FLAMMAB LIQUID.
	alpha-Naphthylamine	6.1	UN2077	III	KEEP AWA FROM F
	beta-Naphthylamine	6.1	UN1650	II	POISON.....
	Naphthyl amineperchlorate	Forbidden	.....		
	Naphthylthiourea	6.1	UN1651	II	POISON.....
	Naphthylurea	6.1	UN1652	II	POISON.....
	Natural gases (with high methane content), see Methane, *etc. (UN 1971, 1972).*	.....	.....		
	Natural gasoline	3	UN1257	II	FLAMMAB LIQUID.
	Neohexane, see Hexanes	.....	.....		
	Neon, compressed	2.2	UN1065	.....	NONFLAM BLE GAS
	Neon, refrigerated liquid (*cryogenic liquid*)	2.2	UN1913	.....	NONFLAM BLE GAS
	New explosive or explosive device. See 173.51 and 173.86.	.....	.....		
	Nickel carbonyl	6.1	UN1259	I	POISON, FLAMMA LIQUID.
	Nickel catalyst, dry	4.2	UN2881	I	SPONTANE OUSLY COMBUS BLE.
	Nickel catalyst, wetted *with not less than 40 per cent water or other suitable liquid, by weight, finely divided, activated or spent.*	4.2	UN1378	II	SPONTANE OUSLY COMBUS BLE.
	Nickel cyanide	6.1	UN1653	II	POISON.....
	Nickel nitrate	5.1	UN2725	III	OXIDIZER .
	Nickel nitrite	5.1	UN2726	III	OXIDIZER .
	Nickel picrate	Forbidden	.....		
	Nicotine	6.1	UN1654	II	POISON.....
	.....	.....	.....	III	KEEP AWA FROM F
	Nicotine compounds, n.o.s. *or* Nicotine preparations, n.o.s. *liquid.*	6.1	UN1655	I	POISON.....
	.....	.....	.....	II	POISON.....

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	B1, T8	150	203	242	60 L	220 L	1,3	1,3	
FLAMMABLE LIQUID.	T8, T31	150	202	242	5 L	60 L	1,3	1	
FLAMMABLE LIQUID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
KEEP AWAY FROM FOOD.	T7	153	213	240	100 kg	200 kg	1,2	1,2	34
POISON	T12, T26	None	212	242	25 kg	100 kg	1,2	1,2	95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	95
FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	1,3	5	12
NONFLAMMABLE GAS.	B13	306	302	244	75 kg	150 kg	1,3	1,3	85
NONFLAMMABLE GAS.	B13	320	320	244	50 kg	500 kg	1,3	1	85
POISON, FLAMMABLE LIQUID.		None	198	None	Forbidden	Forbidden	1	5	18, 21, 40, 95
SPONTANEOUSLY COMBUSTIBLE.	N15, N34	None	211	None	Forbidden	Forbidden	1,3	1	
SPONTANEOUSLY COMBUSTIBLE.	A2, N2, N15, N34.	None	212	None	Forbidden	50 kg	1,3	1	
POISON	N74, N75	None	212	242	25 kg	100 kg	1,2	1,2	26, 95
OXIDIZER	A1	152	213	240	25 kg	100 kg	1,2	1,2	
OXIDIZER	A1	152	213	240	25 kg	100 kg	1,2	1,2	34, 56, 58
POISON		None	202	243	5 L	60 L	1,2	1	95
KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34
POISON		None	201	243	1 L	30 L	1,2	1,2	95
POISON		None	202	243	5 L	60 L	1,2	1,2	95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	III	KEEP AWA FROM F
	Nicotine compounds, n.o.s. *or* Nicotine preparations, n.o.s. *solid.*	6.1	UN1655	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWA FROM F
	Nicotine hydrochloride *or* Nicotine hydrochloride solution.	6.1	UN1656	II	POISON.....
	Nicotine salicylate	6.1	UN1657	II	POISON.....
	Nicotine sulfate, solid.....	6.1	UN1658	II	POISON.....
	Nicotine sulfate, solution	6.1	UN1658	II	POISON.....
	Nicotine tartrate.....	6.1	UN1659	II	POISON.....
	Nitrated paper (unstable).....	Forbidden	.....		
	Nitrates, inorganic, n.o.s.....	5.1	UN1477	II	OXIDIZER .
	Nitrates of diazonium compounds.....	Forbidden	.....		
	Nitrating acid mixtures, spent *with more than 50 per cent nitric acid.*	8	UN1826	I	CORROSIV OXIDIZE
	Nitrating acid mixtures spent *with not more than 50 per cent nitric acid.*	8	UN1826	II	CORROSIV
	Nitrating acid mixtures *with more than 50 per cent nitric acid.*	8	UN1796	I	CORROSIV OXIDIZE
	Nitrating acid mixtures *with not more than 50 per cent nitric acid.*	8	UN1796	II	CORROSIV
	Nitric acid, *other than red fuming, with more than 70 per cent nitric acid.*	8	UN2031	I	CORROSIV
	Nitric acid, *other than red fuming, with not more than 70 per cent nitric acid.*	8	UN2031	II	CORROSIV
	Nitric acid, red fuming.....	8	UN2032	I	CORROSIV OXIDIZE POISON.
	Nitric ether. See Ethyl nitrate.....	.....	.....		
	Nitric oxide	2.3	UN1660	I	POISON GA

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34
POISON		None	211	242	5 kg	50 kg	1,2	1,2	95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	95
KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
POISON		None	202	243	5 L	60 L	1,2	1,2	95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	95
POISON	T14	None	202	243	5 L	60 L	1,2	1,2	95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	95
OXIDIZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	46
CORROSIVE, OXIDIZER.	B28, T12, T27.	None	158	243	Forbidden	2.5 L	1	5	33, 40
CORROSIVE	B2, B28, T12, T27.	None	158	242	Forbidden	30 L	1	5	33, 40
CORROSIVE, OXIDIZER.	B28, T12, T27.	None	158	243	Forbidden	2.5 L	1	5	33, 40
CORROSIVE	B2, B28, T12, T27.	None	158	242	Forbidden	30 L	1	5	33, 40
CORROSIVE	10, B12, B14, B32, B53.	None	158	244	Forbidden	Forbidden	1	5	33, 37, 38, 63
CORROSIVE	B2, B12, B17, B28, T9, T27.	None	158	242	Forbidden	30 L	1	5	33, 37, 38, 63
CORROSIVE, OXIDIZER, POISON.	B17, B28, B30, 10.	None	158	244	Forbidden	Forbidden	1	5	33, 37, 38, 40, 63
POISON GAS	10, B7, B12, B14, B31, B37, B45, B46, B50.	None	337	244	Forbidden	Forbidden	1	5	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Nitric oxide and nitrogen tetroxide mixtures ..	2.3	UN1975	I	POISON GAS OXIDIZER.
	Nitrites, inoganic, n.o.s.	5.1	UN2627	II	OXIDIZER .....
	N-Nitroaniline	Forbidden	.....		
	Nitroanilines (*o-,m-,p-*)	6.1	UN1661	II	POISON.....
	Nitroanisole, *liquid*	6.1	UN2730	III	KEEP AWAY FROM FOO
	Nitroanisole, *solid*	6.1	UN2730	III	KEEP AWAY FROM FOO
	Nitrobenzene	6.1	UN1662	II	POISON.....
	m-Nitrobenzene diazonium perchlorate	Forbidden	.....		
	Nitrobenzenesulfonic acid	8	UN2305	II	CORROSIVE
	Nitrobenzol, see Nitrobenzene	.....	.....		
	5-Nitrobenzotriazol	1.1D	UN0385		
	Nitrobenzotrifluorides	6.1	UN2306	II	POISON.....
	Nitrobromobenzene, *liquid*	6.1	UN2732	III	KEEP AWAY FROM FOO
	Nitrobromobenzene, *solid*	6.1	UN2732	III	KEEP AWAY FROM FOO
	Nitrocellulose, *dry or wetted with less than 25 per cent water (or alcohol), by weight.*	1.1D	UN0340		
	Nitrocellulose, plasticized *with not less than 18 per cent plasticizing substance, by weight.*	1.3C	UN0343		
	Nitrocellulose, solution, flammable *with not more than 12.6 per cent nitrogen, by weight, and not more than 55 per cent nitrocellulose, flash point less than 23 degrees C.*	3	UN2059	II	FLAMMABLE LIQUID.
	Nitrocellulose, solution, flammable *with not more than 12.6 per cent nitrogen, by weight, and not more than 55 per cent nitrocellulose, flash point not less than 23 degrees C but not more than 60.5 degrees C.*	3	UN2060	II	FLAMMABLE LIQUID.
	Nitrocellulose, *unmodified or plasticized with less than 18 per cent plasticizing substance, by weight.*	1.1D	UN0341		
	Nitrocellulose, wetted *with not less than 25 per cent alcohol, by weight.*	1.3C	UN0342		
	Nitrocellulose with alcohol, *not less than 25 per cent alcohol by weight, and not more than 12.6 per cent nitrogen, by dry weight.*	4.1	UN2556	II	FLAMMABLE SOLID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
OISON GAS, OXIDIZER.	10, B7, B12, B14, B45, B46.	None	337	245	Forbidden	Forbidden	1	5	40, 43, 95
XIDIZER	A33	152	212	None	5 kg	25 kg	1,2	1,2	34, 46, 56, 58
OISON	T14	None	212	242	25 kg	100 kg	1,2	1,2	95
EEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	1,3	1,3	12, 34
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
OISON	T14	None	202	243	5 L	60 L	1,2	1,2	40, 95
ORROSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
OISON	T8	None	202	243	5 L	60 L	1,2	1,2	40, 95
EEP AWAY FROM FOOD.	T8, T38	153	203	241	60 L	220 L	1,3	1,3	12, 95
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
AMMABLE LIQUID.	A32, T9	150	202	242	5 L	60 L	1,3	1	
AMMABLE LIQUID.	A32, T9	150	202	242	5 L	60 L	1,3	1	
AMMABLE SOLID.		151	212	None	1 kg	15 kg	1	5	25

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Nitrocellulose, with plasticizing substance, *not less than 18 per cent, plasticizing substance, by weight, and not more than 12.6 per cent nitrogen, by dry weight.*	4.1	UN2557	II	FLAMMABLE SOLID.
	Nitrocellulose with water, *not less than 25 per cent water, by weight.*	4.1	UN2555	II	FLAMMABLE SOLID.
	Nitrochlorobenzene, see Chloronitrobenzenes.	.....	.....		
	3-Nitro-4-chlorobenzotrifluoride	6.1	UN2307	II	POISON
	Nitrocresols	6.1	UN2446	III	KEEP AWAY FROM FOODS.
	6-Nitro-4-diazotoluene-3-sulfonic acid (dry)	Forbidden	.....		
	Jitroethane	3	UN2842	III	FLAMMABLE LIQUID.
	Nitroethylene polymer	Forbidden	.....		
	Nitroethyl nitrate	Forbidden	.....		
	Nitrogen, compressed	2.2	UN1066	.....	NONFLAMMABLE GAS.
	Nitrogen dioxide, liquefied	2.3	UN1067	I	POISON GAS OXIDIZER.
	Nitrogen fertilizer solution, see Fertilizer ammoniating solution *etc.*.	.....	.....		
	Nitrogen, mixtures with rare gases, see Rare gases and nitrogen mixtures.	.....	.....		
	Nitrogen peroxide, see Nitrogen dioxide, liquified.	.....	.....		
	Nitrogen, refrigerated liquid (*cryogenic liquid*).	2.2	UN1977	.....	NONFLAMMABLE GAS.
	Nitrogen tetroxide, see Nitrogen dioxide, liquefied.	.....	.....		
	Nitrogen tetroxide and nitric oxide mixtures, see Nitric oxide and nitrogen tetroxide mixtures.	.....	.....		
	Nitrogen trichloride	Forbidden	.....		
	Nitrogen trifluoride	2.3	UN2451	III	POISON GAS
	Nitrogen triiodide	Forbidden	.....		
	Nitrogen triiodide monoamine	Forbidden	.....		
	Nitrogen trioxide	2.3	UN2421	I	POISON GAS OXIDIZER.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
LAMMABLE SOLID.		151	212	None	1 kg	15 kg	1	5	25
LAMMABLE SOLID.		151	212	None	15 kg	50 kg	1,3	5	25
OISON	T8	None	202	243	5 L	60 L	1,2	1,2	40, 95
EEP AWAY FROM FOODS.		153	213	240	100 kg	200 kg	1,2	1,2	34
LAMMABLE LIQUID.	T8	150	203	242	60 L	220 L	1,3	1,3	
ONFLAMMABLE GAS.		306	302	314, 315	75 kg	150 kg	1,3	1,3	85
OISON GAS, OXIDIZER.	10, B7, B12, B45, B46.	None	336	245	Forbidden	Forbidden	1	5	40, 43, 95
ONFLAMMABLE GAS.		320	316	318	50 kg	500 kg	1,3	1,3	85
OISON GAS	B13, B14, B34, 10.	None	302	244	Forbidden	Forbidden	1	5	40, 43, 95
OISON GAS, OXIDIZER.	B13, 10	None	336	245	Forbidden	Forbidden	1	5	31, 40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Nitroglycerin, desensitized *with not less than 40 per cent non-volatile water insoluble phlegmatizer, by weight.*	1.1D	UN0143		
	Nitroglycerin (Glyceryl trinitrate) solution in alcohol *with not more than 1 per cent nitroglycerin.*	3	UN1204	II	FLAMMABLE LIQUID.
	Nitroglycerin, liquid, not desensitized	Forbidden			
	Nitroglycerin, solution in alcohol, *with more than 1% but not greater than 5% nitroglycerin.*	3	UN3064	II	FLAMMABLE LIQUID.
	Nitroglycerin, spirit of, *with more than 1 per cent but not more than 10 per cent nitroglycerin in solution in alcohol.*	1.1D	UN0144		
	Nitroguanidine nitrate	Forbidden			
	Nitroguanidine (Picrite), *dry or wetted with less than 20 per cent water, by weight.*	1.1D	UN0282		
	Nitroguanidine (Picrite), wetted *with not less than 20 per cent water, by weight.*	4.1	UN1336	I	FLAMMABLE SOLID.
	1-Nitrohydantoin	Forbidden			
	Nitrohydrochloric acid	8	UN1798	I	CORROSIVE...
	Nitro isobutane triol trinitrate	Forbidden			
	Nitromannite (dry)	Forbidden			
	Nitromannite, wetted, *see* Mannitol hexanitrate, *etc.*.				
	Nitromethane	3	UN1261	II	FLAMMABLE LIQUID.
	N-Nitro-N-methylglycolamide nitrate	Forbidden			
	2-Nitro-2-methylpropanol nitrate	Forbidden			
	Nitromuriatic acid, see Nitrohydrochloric acid.				
	Nitronaphthalene	4.1	UN2538	III	FLAMMABLE SOLID.
	Nitrophenols (*o-,m-,p-*)	6.1	UN1663	III	KEEP AWAY FROM FOO
	m-Nitrophenyldinitro methane	Forbidden			

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE IQUID.	N34, T25...	None	202	None	5 L	60 L	1,3	1	
AMMABLE IQUID.		None	202	None	Forbidden	5 L			
AMMABLE OLID.	A19, A20, N2, N34, N41.	None	211	None	1 kg	15 kg	1,3	5	
RROSIVE	B4, N1, N15, N34, N41, T18, T27.	None	201	242	Forbidden	2.5 L	1	5	33, 40
AMMABLE IQUID.	T25	150	202	None	Forbidden	60 L	1,3	1,3	
AMMABLE OLID.	A1	151	213	240	25 kg	100 kg	1,3	1,3	
EP AWAY ROM FOOD.	T8, T38	153	213	240	100 kg	200 kg	1,2	1,2	34

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Nitropropanes	3	UN2608	III	FLAMMABLE LIQUID.
	p-Nitrosodimethylaniline	4.2	UN1369	II	SPONTANEOUSLY COMBUSTIBLE.
	Nitrostarch, *dry or wetted with less than 20 per cent water, by weight.*	1.1D	UN0146		
	Nitrostarch, wetted *with not less than 20 per cent water, by weight.*	4.1	UN1337	I	FLAMMABLE SOLID.
	Nitrosugars (*dry*)	Forbidden			
	Nitrosyl chloride	2.3	UN1069	II	POISON GAS CORROSIV
	Nitrosylsulfuric acid	8	UN2308	II	CORROSIVE.
	Nitrotoluenes, *liquid, o-*	6.1	UN1664	II	POISON.
	Nitrotoluenes, *solid m- or p-*	6.1	UN1664	II	POISON.
	Nitrotoluidines (mono)	6.1	UN2660	III	KEEP AWAY FROM FOO
	Nitro urea	1.1.D	UN0147		
	Nitrous oxide and carbon dioxide mixtures, see Carbon dioxide and nitrous oxide mixtures.				
	Nitrous oxide, compressed	2.3	UN1070	II	POISON GAS, OXIDIZER.
	Nitrous oxide, refrigerated liquid	2.3	UN2201	II	POISON GAS, OXIDIZER.
	Nitroxylenes (*o-,m-,p-*)	6.1	UN1665	II	POISON.
	Nitroxylol, see Nitroxylenes				
	Nonanes	3	UN1920	III	FLAMMABLE LIQUID.
	Nonflammable gas, n.o.s., see Compressed *or* Liquefied gases, *e tc.* (*UN 1955, 1956*).				
	Nonliquefied gases, see Compressed gases, *etc.*.				
	Nonliquefied hydrocarbon gas, see Hydrocarbon gases, compressed, n.o.s..				
	Nonyltrichlorosilane	8	UN1799	II	CORROSIVE.
	2,5 Norbornadiene	3	UN2251	II	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
ONTANE-OUSLY COMBUSTI-BLE.	A19, A20, N34.	None	212	241	15 kg	50 kg	1,3	5	34
AMMABLE SOLID.	A19, A20, N2, N34, N41.	None	211	None	1 kg	15 kg	1	5	
ISON GAS, CORROSIVE.	10	None	304	245	Forbidden	Forbidden	1	5	40, 95
RROSIVE	B2, N1, N11, N26, N34, T9, T27.	154	202	242	1 L	30 L	1	5	40, 43
ISON	T14	None	202	243	5 L	60 L	1,2	1,2	95
ISON	T14	None	212	242	25 kg	100 kg	1,2	1,2	95
EP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
ISON GAS, OXIDIZER.	B13, B33, 10.	None	304	244	Forbidden	Forbidden	1,3	1,3	40, 85
ISON GAS, OXIDIZER.	B6, B14, B33, 10.	None	316	314, 315	Forbidden	Forbidden	1,3	1	40, 85
ISON	T14	None	202	243	5 L	60 L	1,2	1,2	95
AMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1	
RROSIVE	B2, B6, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	40
AMMABLE LIQUID.		150	202	241	5 L	60 L	1	5	12

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Nordhausen acid, see Sulfuric acid, fuming				
	Octadecyltrichlorosilane	8	UN1800	II	CORROSIVE
	Octadiene	3	UN2309	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	1,7-Octadine-3,5-diyne-1,8-dimethoxy-9-octadecynoic acid.	Forbidden			
	Octafluorobut-2-ene	2.2	UN2422		NONFLAMMABLE GAS.
	Octafluorocyclobutane	2.2	UN1976		NONFLAMMABLE GAS.
	Octafluoropropane	2.2	UN2424		NONFLAMMABLE GAS.
	Octanes	3	UN1262	II	FLAMMABLE LIQUID.
	n-Octanoyl peroxide, *see* Di-n-octanoyl peroxide, *technically pure.*				
	Octogen, *see* Cyclotetramethylene tetranitramine, etc..				
	Octol, *see* Octolite, *etc.*				
	Octolite (Octol), *dry or wetted with less than 15 per cent water, by weight.*	1.1D	UN0266		
	Octyl aldehydes, *flammable*	3	UN1191	III	FLAMMABLE LIQUID.
	tert-Octylmercaptan	6.1	UN3023	I	POISON, FLAMMABLE LIQUID.
	Octyltrichlorosilane	8	UN1801	II	CORROSIVE
	Oil gas	2.1	UN1071		FLAMMABLE GAS.
	Oleum, see Sulfuric acid, fuming				
	Organic peroxides, mixtures	5.2	UN2756	I	ORGANIC PEROXIDE.
	Organic peroxides, samples, n.o.s.	5.2	UN2255	I	ORGANIC PEROXIDE.
	Organic peroxides, trial quantities, n.o.s.	5.2	UN2899	I	ORGANIC PEROXIDE.
D	Organic phosphate, Organic phosphate compound, *or* Organic phosphorus compound; mixed with compressed gas.	2.3	NA1955	I	POISON GAS
	Organochlorine pesticides liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2762	I	FLAMMABLE LIQUID, POISON.

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Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ROSIVE	B2, B6, N26, N34, T8.	None	202	242	Forbidden	30 L	1	1	40
MABLE UID.	B1, T1	150	202	242	5 L	60 L	1,3	1,3	
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
FLAMMA- E GAS.	B13	None	304	244	75 kg	150 kg	1,3	1,3	85
FLAMMA- E GAS.	B13	None	304	244	75 kg	150 kg	1,3	1,3	85
FLAMMA- E GAS.	B13	None	304	244	75 kg	150 kg	1,3	1,3	85
MABLE UID.	T1	150	202	242	5 L	60 L	1,3	1	
MABLE UID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
ON, AMMABLE UID.	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1,2	1,2	21, 40
ROSIVE	B2, B6, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	40
MABLE S.	B13	None	304	244	Forbidden	150 kg	1	5	40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
ON GAS	10	None	334	None	Forbidden	Forbidden	1	5	40, 95
MABLE UID, RSON.		None	201	243	Forbidden	30 L	1,3	5	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
				II	FLAMMABLE LIQUID, POISON.
	Organochlorine pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN2995	I	POISON, FLAMMABL LIQUID.
				II	POISON, FLAMMABL LIQUID.
				III	KEEP AWAY FROM FOO
	Organochlorine pesticides, liquid, toxic, n.o.s..	6.1	UN2996	I	POISON.....
				II	POISON.....
				III	KEEP AWAY FROM FOO
	Organochlorine pesticides, solid toxic n.o.s...	6.1	UN2761	I	POISON.....
				II	POISON.....
				III	KEEP AWAY FROM FOO
	Organophosphorus pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2784	I	FLAMMABLE LIQUID, POISON.
				II	FLAMMABLE LIQUID, POISON.
	Organophosphorus pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN3017	I	POISON, FLAMMABL LIQUID.
				II	POISON, FLAMMABL LIQUID.
				III	KEEP AWAY FROM FOO
	Organophosphorus pesticides, liquid, toxic, n.o.s..	6.1	UN3018	I	POISON.....
				II	POISON.....
				III	KEEP AWAY FROM FOO
	Organophosphorus pesticides, solid, toxic, n.o.s..	6.1	UN2783	I	POISON.....
				II	POISON.....
				III	KEEP AWAY FROM FOO
	Organotin compounds, n.o.s. *liquid*.....	6.1	UN2788	I	POISON.....
				II	POISON.....

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Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
LAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	1	
OISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	1	1	23, 40, 95
OISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	1,2	1	23, 40, 95
EEP AWAY FROM FOOD.	B1, T14	153	203	242	60 L	220 L	1,2	1,2	23, 34, 40
OISON	T42	None	201	243	1 L	30 L	1	1	40, 95
OISON	T14	None	202	242	5 L	60 L	1,2	1	40, 95
EEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
OISON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
OISON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
LAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	1,3	5	
LAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	1	
OISON, FLAMMABLE LIQUID.	N76, T42	None	201	243	1 L	30 L	1	1	23, 40, 95
OISON, FLAMMABLE LIQUID.	N76, T14	None	202	243	5 L	60 L	1,3	1	23, 40, 95
EEP AWAY FROM FOOD.	B1, N76, T14.	153	203	242	60 L	220 L	1,3	1,3	23, 34, 40
OISON	N76, T42	None	201	243	1 L	30 L	1	1	40, 95
OISON	N76, T14	None	202	243	5 L	60 L	1,2	1	40, 95
EEP AWAY FROM FOOD.	N76, T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
OISON	N77	None	211	242	5 kg	50 kg	1,2	1,2	40, 95
OISON	N77	None	212	242	25 kg	100 kg	1,2	1,2	40, 95
EEP AWAY FROM FOOD.	N77	153	213	240	100 kg	200 kg	1,2	1,2	34, 40
OISON	N1, N16, N33, N34.	None	201	243	1 L	30 L	1,2	1	40, 95
OISON	N1, N16, N33, N34.	None	202	243	5 L	60 L	1,2	1	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	III	KEEP AWAY FROM FOO
	Organotin compounds, n.o.s. *solid*	6.1	UN2788	I	POISON
	.....	.....	.....	II	POISON
	.....	.....	.....	III	KEEP AWAY FROM FOO
	Organotin pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23deg C.*	3	UN2787	I	FLAMMABLE LIQUID, POISON.
	.....	.....	.....	II	FLAMMABLE LIQUID, POISON.
	Organotin pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23deg C.*	6.1	UN3019	I	POISON, FLAMMABL LIQUID.
	.....	.....	.....	II	POISON, FLAMMABL LIQUID.
	.....	.....	.....	III	KEEP AWAY FROM FOO
	Organotin pesticides, liquid, toxic, n.o.s.	6.1	UN3020	I	POISON
	.....	.....	.....	II	POISON
	.....	.....	.....	III	KEEP AWAY FROM FOO
	Organotin pesticides, solid, toxic, n.o.s.	6.1	UN2786	I	POISON
	.....	.....	.....	II	POISON
	.....	.....	.....	III	KEEP AWAY FROM FOO
	ORM-E, liquid *or* solid, n.o.s. *See* Hazardous substance, liquid, n.o.s. *or* Hazardous substance, solid, n.o.s..	.....	.....		
	Orthonitroaniline, see Nitroanilines *etc.*	.....	.....		
	Osmium tetroxide	6.1	UN2471	I	POISON
AD	Other regulated substances, *n.o.s., liquid*	9	None	III	CLASS 9
AD	Other regulated substances, *n.o.s., solid*	9	None	III	CLASS 9
	Oxalates, *water soluble*	6.1	UN2449	III	KEEP AWAY FROM FOO
D	Oxidizing substances, liquid, corrosive, n.o.s..	5.1	NA9193	II	OXIDIZER, CORROSIV
	Oxidizing substances, liquid, poisonous, n.o.s..	5.1	NA9199	II	OXIDIZER, POISON.
	Oxidizing substances, n.o.s. *liquid*	5.1	UN1479	I	OXIDIZER
	.....	.....	.....	II	OXIDIZER
	.....	.....	.....	III	OXIDIZER
	Oxidizing substances, n.o.s. *solid*	5.1	UN1479	II	OXIDIZER

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
EEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1	34, 40
OISON	A2, A5, N1.	None	211	242	5 kg	50 kg	1,2	1	40, 95
OISON	A1, N1	None	212	242	25 kg	100 kg	1,2	1	40, 95
EEP AWAY FROM FOOD.	A29	153	213	240	100 kg	200 kg	1,2	1,2	34, 40
LAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	1,3	5	
LAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	1	
OISON, FLAMMABLE LIQUID.		None	201	243	1 L	30 L	1	1	23, 40, 95
OISON, FLAMMABLE LIQUID.		None	202	243	5 L	60 L	1,2	1	23, 40, 95
EEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	23, 34, 40
OISON		None	201	243	1 L	30 L	1	1	40, 95
OISON		None	202	243	5 L	60 L	1,2	1	40, 95
EEP AWAY FROM FOOD.		153	203	241	60 L	220 L	1,2	1,2	34, 40
OISON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
OISON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
OISON	N2, N33, N34.	None	211	242	5 kg	50 kg	1,2	1	40, 95
LASS 9		155	203	241	No limit	No limit	1,2	1,2	
LASS 9		155	213	240	No limit	No limit	1,2	1,2	
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
XIDIZER, CORROSIVE.	B2	None	202	243	Forbidden	1 L	1	5	
XIDIZER, POISON.		None	202	243	Forbidden	1 L	1	5	
XIDIZER	A2	None	201	None	Forbidden	Forbidden	1	5	40, 46, 56
XIDIZER	A2	152	202	242	1 L	5 L	1,2	1,2	40, 46, 56
XIDIZER	A2	152	203	240	5 L	60 L	1,2	1,2	40, 46, 56
XIDIZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Oxidizing substances, solid, corrosive, n.o.s..	5.1	UN3085,	I	OXIDIZER, CORROS
	.....	.....	.....	II	OXIDIZER, CORROS
	.....	.....	.....	III	OXIDIZER, CORROS
	Oxidizing substances, solid poisonous, n.o.s..	5.1	UN3087	I	OXIDIZER, POISON.
	.....	.....	.....	II	OXIDIZER, POISON.
	.....	.....	.....	III	OXIDIZER, KEEP AW FROM FO
	Oxygen and carbon dioxide mixtures, see Carbon dioxide and oxygen mixtures.	.....	.....		
	Oxygen, compressed	2.2	UN1072	.....	NONFLAMM BLE GAS, OXIDIZER
	Oxygen difluoride	2.3	UN2190	I	POISON GA
	Oxygen, mixtures with rare gases, see Rare gases and oxygen mixtures.	.....	.....		
	Oxygen, refrigerated liquid (*cryogenic liquid*).	2.2	UN1073	.....	NONFLAMM BLE GAS, OXIDIZER
	Paint *or* Paint related material	3	UN1263	I	FLAMMABL LIQUID.
	.....	.....	.....	II	FLAMMABL LIQUID.
	.....	.....	.....	III	FLAMMABL LIQUID.
	Paint *or* Paint related material	8	UN3066	II	CORROSIVE
	.....	.....	.....	III	CORROSIVE
	Paint driers, see Driers, paint *or* varnish, *etc.*.	.....	.....		
	Paper, unsaturated oil treated *incompletely dried (includes carbon paper)*.	4.2	UN1379	III	SPONTANE OUSLY COMBUST BLE.
	Paraformaldehyde	4.1	UN2213	III	FLAMMABL SOLID.
	Paraldehyde	3	UN1264	III	FLAMMABL LIQUID.
	Paranitroaniline, solid, see Nitroanilines *etc.*.	.....	.....		
D	Parathion	6.1	NA2783	I	POISON
	.....	.....	.....	II	POISON
D	Parathion and compressed gas mixture	2.3	NA1967	I	POISON GA

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
OXIDIZER, CORROSIVE.	B10	None	211	242	1 kg	15 kg	1	4	
OXIDIZER, CORROSIVE.	B10	None	212	240	5 kg	25 kg	1	4	
OXIDIZER, CORROSIVE.	B10	152	213	240	25 kg	100 kg	1	4	
OXIDIZER, POISON.	B10	None	211	242	1 kg	15 kg	1,2	4	
OXIDIZER, POISON.	B10	None	212	240	5 kg	25 kg	1,2	4	
OXIDIZER, KEEP AWAY FROM FOOD.	B10	152	213	240	25 kg	100 kg	1,2	4	
NONFLAMMABLE GAS, OXIDIZER.		306	302	314, 315	75 kg	150 kg	1,3	1,3	85
POISON GAS	10	None	304	245	Forbidden	Forbidden	1	5	13, 40
NONFLAMMABLE GAS, OXIDIZER.		320	316	318	Forbidden	Forbidden	1	5	5
FLAMMABLE LIQUID.		150	201	243	1 L	30 L	1,3	5	
FLAMMABLE LIQUID.	B52, T7, T30.	150	173	242	5 L	60 L	1,2	1	
FLAMMABLE LIQUID.	B52, T7, T30.	150	173	241	60 L	220 L	1,3	5	
CORROSIVE	B2, N71, T7.	154	202	242	1 L	30 L	1,2	1,2	
CORROSIVE	B52, N71, T7.	154	203	241	5 L	60 L	1,2	1,2	
SPONTANEOUSLY COMBUSTIBLE.		None	213	241	Forbidden	Forbidden	1,3	1,3	
FLAMMABLE SOLID.	A1	151	213	240	25 kg	100 kg	1,3	1,3	
FLAMMABLE LIQUID.	T1	150	203	242	60 L	220 L	1,3	1	
POISON		None	201	243	Forbidden	1 L	1,3	1,3	
POISON		None	202	243	Forbidden	5 L	1,3	1,3	
POISON GAS	B14, B31, 10.	None	334	244	Forbidden	Forbidden	1,3	5	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Paris green, solid, see Copper acetoarsenite.	.....	.....		
D	PCB. *See* Polychlorinated biphenyls	.....	.....		
	Pelargonyl peroxide, *see* Di-n-nonanoyl peroxide, *technically pure.*	.....	.....		
	Pentaborane	4.2	UN1380	I	SPONTANEOUSLY COMBUSTIBLE, POIS
	Pentachloroethane	6.1	UN1669	II	POISON
	Pentaerythrite tetranitrate (dry)	Forbidden	.....		
	Pentaerythrite tetranitrate (Pentaerythritol tetranitrate; PETN) wetted *with not less than 25 per cent water, by weight, or* Pentaerythrite tetranitrate (Pentaerythritol tetranitrate ; PETN) desensitized *with not less than 15 per cent phlegmatizer by weight.*	1.1.D	UN0150		
	Pentaerythrite tetranitrate (PETN) *with not less than 7 per cent wax by weight.*	1.1D	UN0411		
	Pentaerythritol tetranitrate, *see* Pentaerythrite tetranitrate, *etc.*.	.....	.....		
	Pentamethylheptane	3	UN2286	III	FLAMMABLE LIQUID.
	Pentan-2,4-dione	3	UN2310	III	FLAMMABLE LIQUID.
	n-Pentane *or* Isopentane	3	UN1265	I	FLAMMABLE LIQUID.
	Pentanitroaniline (dry)	Forbidden	.....		
	1-Pentol	8	UN2705	II	CORROSIVE
	Pentolite, *dry or wetted with less than 15 per cent water, by weight.*	1.1D	UN0151	II	.....
	Perchlorates, inorganic, n.o.s.	5.1	UN1481	II	OXIDIZER
	Perchloric acid *more than 50 per cent but not more than 72 per cent acid, by weight.*	5.1	UN1873	I	OXIDIZER, CORROSIV
	Perchloric acid, more than 72 per cent acid by weight.	Forbidden	.....		
	Perchloric acid *not more than 50 per cent acid by weight.*	8	UN1802	II	CORROSIVE OXIDIZER.
	Perchloroethylene, see Tetrachloroethylene.	.....	.....		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
PONTANE-OUSLY COMBUSTI-BLE, POISON.	10	None	205	246	Forbidden	Forbidden	1	5	
OISON		None	202	243	5 L	60 L	1,2	1,2	40, 95
LAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
LAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
LAMMABLE LIQUID.	T20	150	201	243	1 L	30 L	1,3	5	12
ORROSIVE	B2, T8	154	202	242	1 L	30 L	1,2	1	38
XIDIZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
XIDIZER, CORROSIVE.	A2, N1, N34, N41, T9, T27.	None	201	243	Forbidden	2.5 L	1	5	
ORROSIVE, OXIDIZER.	N15, N34, N41, T9.	None	202	243	Forbidden	30 L	1	1	37

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Perchloromethylmercaptan	6.1	UN1670	I	POISON
	Perchloryl fluoride	2.3	UN3083	II	POISON GA OXIDIZER
	Percussion caps, see Primers, cap type				
	Perfluoro-2-butene, see Octafluorobut-2-ene.				
	Perfumery products *with flammable solvents.*	3	UN1266	II	FLAMMABL LIQUID.
				III	FLAMMABL LIQUID.
	Permanganates, inorganic, n.o.s.	5.1	UN1482	II	OXIDIZER
	Peroxides, inoganic, n.o.s.	5.1	UN1483	II	OXIDIZER
	Peroxyacetic acid, more than 43 per cent and with more than 6 per cent hydrogen peroxide.	Forbidden			
	Peroxyacetic acid, *not more than 16 per cent in a mixture with at least 39 per cent water, at least 15 per cent acetic acid, not more than 24 per cent hydrogen peroxide, with stabilizer.*	5.2	UN3045	I	ORGANIC PEROXID CORROSI
	Peroxyacetic acid *not more than 43 percent in a mixture with at least 5 percent water, at least 35 percent acetic acid, not more than 6 percent hydrogen peroxide with stabilizer.*	5.2	UN2131	I	ORGANIC PEROXID
	Pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN3021	I	FLAMMABL LIQUID, POISON.
				II	FLAMMABL LIQUID, POISON.
	Pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN2903	I	POISON, FLAMMAB LIQUID.
				II	POISON, FLAMMAB LIQUID.
				III	KEEP AWAY FROM FO
	Pesticides, liquid, toxic, n.o.s.	6.1	UN2902	I	POISON

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
POISON	B14, B25, B32, N1, N15, N17, N26, N34, 10.	None	227	244	Forbidden	Forbidden	1	5	40, 95
POISON GAS, OXIDIZER.	10, B12, B14, B33.	None	302	244	Forbidden	Forbidden	1	5	40, 43, 95
FLAMMABLE LIQUID.	T7, T30	150	202	242	15 L	60 L	1,3	1	
FLAMMABLE LIQUID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
OXIDIZER	A30, B10	152	212	240	5 kg	25 kg	1,2	1,2	56, 69
OXIDIZER	A20, B10, N26, N34.	None	212	240	5 kg	25 kg	1,2	1	13, 46
ORGANIC PEROXIDE, CORROSIVE.		None	225	None	1 L	5 L	1	5	12, 40
ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	1	5	12, 40
FLAMMABLE LIQUID, POISON.	B5	None	201	243	Forbidden	30 L	1,3	5	
FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	1	
POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	1	1	23, 40, 95
POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	1,2	1	23, 40, 95
KEEP AWAY FROM FOOD.	T14	153	203	242	60 L	220 L	1,2	1,2	23, 34, 40
POISON	T42	None	201	243	1 L	30 L	1	1	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWA FROM FO
	Pesticides, solid, toxic, n.o.s.	6.1	UN2588	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWA FROM FO
	PETN, *see* Pentaerythrite tetranitrate	.....	.....		
	PETN/TNT, *see* Pentolite, *etc.*	.....	.....		
	Petrol, *see* Gasoline	.....	.....		
	Petroleum crude oil	3	UN1267	II	FLAMMABL LIQUID.
	.....	.....	.....	III	FLAMMABL LIQUID.
	Petroleum distillates, n.o.s.	3	UN1268	I	FLAMMABL LIQUID.
	.....	.....	.....	II	FLAMMABL LIQUID.
	.....	.....	.....	III	FLAMMABL LIQUID.
	Petroleum ether, see Petroleum spirit	.....	.....		
	Petroleum gases, liquefied	2.1	UN1075	.....	FLAMMABL GAS.
	Petroleum naphtha, see Naphtha, *petroleum.*	.....	.....		
	Petroleum oil	3	UN1270	II	FLAMMABL LIQUID.
	.....	.....	.....	III	FLAMMABL LIQUID.
	Petroleum spirit	3	UN1271	I	FLAMMABL LIQUID.
	.....	.....	.....	II	FLAMMABL LIQUID.
	.....	.....	.....	III	FLAMMABL LIQUID.
	Phenacyl bromide	6.1	UN2645	II	POISON.....
	Phenetidines	6.1	UN2311	III	KEEP AWA FROM FO
	Phenol, molten	6.1	UN2312	II	POISON.....
	Phenol, solid	6.1	UN1671	II	POISON.....
	Phenol solutions	6.1	UN2821	II	POISON.....
	.....	.....	.....	III	KEEP AWA FROM FO
	Phenolsulfonic acid, liquid	8	UN1803	II	CORROSIV

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
POISON	T14	None	202	243	5 L	60 L	1,2	1	40, 95
KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
POISON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
FLAMMABLE LIQUID.	T8, T31	150	202	242	5 L	60 L	1,3	5	12
FLAMMABLE LIQUID.	B1, T8, T31.	150	203	242	60 L	220 L	1,3	1,3	12
FLAMMABLE LIQUID.	T42	150	201	243	1 L	30 L	1,3	5	12
FLAMMABLE LIQUID.	T7, T30	150	202	242	5 L	60 L	1,3	5	12
FLAMMABLE LIQUID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	12
FLAMMABLE GAS.		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
FLAMMABLE LIQUID.	T8, T31	150	202	242	5 L	60 L	1,3	5	12
FLAMMABLE LIQUID.	B1, T8, T31.	150	203	242	60 L	220 L	1,3	1,3	12
FLAMMABLE LIQUID.	T8	150	201	243	1 L	30 L	1,3	5	12
FLAMMABLE LIQUID.	B1, T8	150	202	242	5 L	60 L	1,3	1	12
FLAMMABLE LIQUID.	T8	150	202	241	60 L	220 L	1,2	1,2	
POISON		None	212	242	25 kg	100 kg	1,3	1	12, 40, 95
KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
POISON	B14, T8, T38.	None	202	243	Forbidden	Forbidden	1	1	40, 95
POISON	N78, T14	None	212	240	25 kg	100 kg	1,2	1,2	95
POISON	T14	None	202	243	5 L	60 L	1,2	1,2	95
KEEP AWAY FROM FOOD.	T14	153	203	242	60 L	220 L	1,2	1,2	34
CORROSIVE	B2, N16, N34, N41, T8.	154	202	242	1 L	30 L	1,2	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Label
(1)	(2)	(3)	(4)	(5)	(6)
	Phenoxy pesticides, liquid, flammable, toxic n.o.s., *flash point less than 23 degrees C.*	3	UN2766	I	FLAMMAB LIQUID, POISON
	.....	.....	.....	II	FLAMMAB LIQUID, POISON
	Phenoxy pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN2999	I	POISON, FLAMM LIQUID.
	.....	.....	.....	II	POISON, FLAMM LIQUID.
	.....	.....	.....	III	KEEP AW FROM F
	Phenoxy pesticides, liquid, toxic, n.o.s.	6.1	UN3000	I	POISON...
	.....	.....	.....	II	POISON...
	.....	.....	.....	III	KEEP AW FROM F
	Phenoxy pesticides, solid, toxic, n.o.s.	6.1	UN2765	I	POISON...
	.....	.....	.....	II	POISON...
	.....	.....	.....	III	KEEP AW FROM F
	Phenylacetonitrile, liquid	6.1	UN2470	III	KEEP AW FROM F
	Phenylacetyl chloride	8	UN2577	II	CORROSI
	Phenylcarbylamine chloride	6.1	UN1672	I	POISON...
	Phenylchloroformate	6.1	UN2746	II	POISON, CORRO
D	Phenyldichloroarsine	6.1	NA1556	I	POISON...
	m-Phenylene diaminediperchlorate (dry)	Forbidden	.....		
	Phenylenediamines (*o-,m-,p-*)	6.1	UN1673	III	KEEP AW FROM F
	Phenylhydrazine	6.1	UN2572	II	POISON...
	Phenyl isocyanate	6.1	UN2487	I	POISON...
	Phenyl mercaptan	6.1	UN2337	I	POISON, FLAMM LIQUID.
	Phenylmercuric acetate	6.1	UN1674	II	POISON...
	Phenylmercuric compounds, n.o.s.	6.1	UN2026	I	POISON...
	.....	.....	.....	II	POISON...

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	1,3	5	
FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	1	
POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	1	1	23, 40, 95
POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	1,2	1	23, 40, 95
KEEP AWAY FROM FOOD.	T14	153	203	242	60 L	220 L	1,2	1,2	23, 34, 40
POISON	T42	None	201	243	1 L	30 L	1	1	40, 95
POISON	T14	None	202	243	5 L	60 L	1,2	1	40, 95
KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
POISON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	1,2	1,2	26, 34
CORROSIVE	B2, T8, T26.	154	202	242	1 L	30 L	1	1	40
POISON	B14, B32, 10.	None	227	244	Forbidden	Forbidden	1	5	40, 95
POISON, CORROSIVE.	T12	None	202	243	1 L	30 L	1,3	1,3	12, 13, 23, 25, 40, 95
POISON	B3, B14, B30, 10.	None	226	244	Forbidden	Forbidden	1	5	
KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
POISON		None	202	243	5 L	60 L	1,2	1,2	40, 95
POISON	10, B14, B30, N1, N33, N34.	None	227	244	Forbidden	Forbidden	1	1,3	21, 25, 40, 95
POISON, FLAMMABLE LIQUID.	10, B14, B32.	None	227	244	Forbidden	Forbidden	1	1,3	21, 40, 95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	95
POISON		None	211	242	5 kg	50 kg	1,2	1,2	95
POISON		None	212	242	25 kg	100 kg	1,2	1,2	95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	III	KEEP AWAY FROM FOO
	Phenylmercuric hydroxide	6.1	UN1894	II	POISON.....
	Phenylmercuric nitrate	6.1	UN1895	II	POISON.....
	Phenyl phosphorus dichloride.....	8	UN2798	II	CORROSIVE.
	Phenyl phosphorus thiodichloride	8	UN2799	II	CORROSIVE.
	Phenyltrichlorosilane.....	8	UN1804	I	CORROSIVE, POISON.
	Phenyl urea pesticides, liquid, flammable, toxic, n.o.s.; *flash point less than 23 degrees C.*	3	UN2768	I	FLAMMABLE LIQUID, POISON.
	.....	.....	.....	II	FLAMMABLE LIQUID, POISON.
	Phenyl urea pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN3001	I	POISON, FLAMMABL LIQUID.
	.....	.....	.....	II	POISON, FLAMMABL LIQUID.
	.....	.....	.....	III	KEEP AWAY FROM FOO
	Phenyl urea pesticides, liquid, toxic, n.o.s.....	6.1	UN3002	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWAY FROM FOO
	Phenyl urea pesticides, solid, toxic, n.o.s.....	6.1	UN2767	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWAY FROM FOO
	Phosgene	2.3	UN1076	I	POISON GAS CORROSIV
	9-Phosphabicyclononanes (Cyclo-octadiene phosphines).	4.2	UN2940	II	SPONTANEOUSLY COMBUSTI BLE.
	Phosphine	2.3	UN2199	I	POISON GAS FLAMMABL GAS.
	Phosphoric acid.....	8	UN1805	III	CORROSIVE.
	Phosphoric acid triethyleneimine, see Tri-(1-aziridiyl) phosphine oxide, solution.	.....	.....		

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
OISON		None	212	242	25 kg	100 kg	1,2	1,2	95
OISON		None	212	242	25 kg	100 kg	1,2	1,2	95
ORROSIVE	B2, B15, T8, T26.	154	202	242	Forbidden	30 L	1,2	1	40
ORROSIVE	B2, B15, T8, T26.	154	202	242	Forbidden	30 L	1,2	1	40
ORROSIVE, POISON.	B6, B14, B32, N26, N34, 10.	None	227	244	Forbidden	Forbidden	1	1	
AMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	1,3	5	
AMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	1	
OISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	1	1	23, 40, 95
OISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	1,2	1	23, 40, 95
EEP AWAY FROM FOOD.	B1, T14	153	203	242	60 L	220 L	1,2	1,2	23, 34, 40
OISON	T42	None	201	243	1 L	30 L	1	1	40, 95
OISON	T14	None	202	243	5 L	60 L	1,2	1	40, 95
EEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
OISON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
OISON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
EEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
OISON GAS, CORROSIVE.	10, B7, B45, B46.	None	192	245	Forbidden	Forbidden	1	5	40, 95
ONTANE-OUSLY COMBUSTI-BLE.	A19	None	212	241	15 kg	50 kg	1,3	1,3	
OISON GAS, FLAMMABLE GAS.	B7, 10	None	192	245	Forbidden	Forbidden	1	5	40, 95
ORROSIVE	N26, N34, T7.	154	203	241	5 L	60 L	1,2	1,2	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Phosphoric anhydride, see Phosphorus pentoxide.				
	Phosphorous acid, ortho	8	UN2834	III	CORROSIVE
	Phosphorus, amorphous	4.1	UN1338	III	FLAMMABLE SOLID.
	Phosphorus bromide, see Phosphorus tribromide.				
	Phosphorus chloride, see Phosphorus trichloride.				
	Phosphorus heptasulfide, *free from yellow and white phosphorus.*	4.1	UN1339	II	FLAMMABLE SOLID.
	Phosphorus oxybromide	8	UN1939	II	CORROSIVE
	Phosphorus oxybromide, molten	8	UN2576	II	CORROSIVE
	Phosphorus oxychloride	8	UN1810	I	CORROSIVE POISON.
	Phosphorus pentabromide	8	UN2691	II	CORROSIVE
	Phosphorus pentachloride	8	UN1806	II	CORROSIVE
	Phosphorus pentafluoride	2.3	UN2198	I	POISON GA
	Phosphorus pentasulfide, *free from yellow and white phosphorus.*	4.3	UN1340	II	DANGEROU WHEN WE FLAMMAB SOLID.
	Phosphorus pentoxide	8	UN1807	II	CORROSIVE
	Phosphorus sesquisulfide, *free from yellow and white phosphorus.*	4.1	UN1341	II	FLAMMABLE SOLID.
	Phosphorus tribromide	8	UN1808	II	CORROSIVE

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
CORROSIVE	T7	154	213	240	25 kg	100 kg	1,3	1,3	48
FLAMMABLE SOLID.	A1, A19, B12, B26.	None	213	243	25 kg	100 kg	1,3	1,3	
FLAMMABLE SOLID.	A20, B10, N34.	None	212	240	15 kg	50 kg	1,3	1	74
CORROSIVE	B8, B10, N15, N34, N41.	None	212	240	Forbidden	50 kg	1	1	12, 40
CORROSIVE	B2, B8, N15, N34, N41, T8, T27, T38.	None	202	242	Forbidden	Forbidden	1	1	40
CORROSIVE, POISON.	10, B8, B14, B32, N26, N34.	None	227	244	Forbidden	Forbidden	1	1	8, 40
CORROSIVE	B10, N26, N34.	154	202	240	Forbidden	50 kg	1,3	1	12, 40
CORROSIVE	B10, N26, N34.	None	202	240	Forbidden	50 kg	1	1	40
POISON GAS	B13, 10	None	302	245	Forbidden	Forbidden	1	5	40, 95
DANGEROUS WHEN WET, FLAMMABLE SOLID.	A20, B10, N34.	None	212	241	15 kg	50 kg	1,3	1,3	74
CORROSIVE	B10, N26, N34.	154	212	240	15 kg	50 kg	1,2	1,2	9
FLAMMABLE SOLID.	A20, B10, N34.	None	212	240	15 kg	50 kg	1,3	1	74
CORROSIVE	B2, B25, N1, N11, N26, N34, T8.	None	202	242	Forbidden	30 L	1	1	8, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Phosphorus trichloride	8	UN1809	I	CORROSIVE, POISON.
	Phosphorus trioxide	8	UN2578	III	CORROSIVE..
	Phosphorus trisulfide, *free from yellow and white phosphorus.*	4.1	UN1343	II	FLAMMABLE SOLID.
	Phosphorus, white *or* yellow dry *or* under water *or* in solution.	4.2	UN1381	I	SPONTANEOUSLY COMBUSTIBLE, POISO
	Phosphorus white, molten	4.2	UN2447	I	SPONTANEOUSLY COMBUSTIBLE, POISO
	Phosphorus (white or red) and a chlorate, mixtures of.	Forbidden			
	Phosphoryl chloride, see Phosphorus oxychloride.				
	Photo-flash powder, *in units*	1.1G	UN0094		
	Photo-flash powder, *in units*	1.2G	UN0096		
	Photo-flash powder, *in units*	1.3G	UN0305		
	Phthalic anhydride	8	UN2214	III	CORROSIVE..
	Phthalimide derivative pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2774	I	FLAMMABLE LIQUID, POISON.
				II	FLAMMABLE LIQUID, POISON.
	Phthalimide derivative pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN3007	I	POISON, FLAMMABL LIQUID.
				II	POISON, FLAMMABL LIQUID.
				III	KEEP AWAY FROM FOO
	Phthalimide derivative pesticides, liquid, toxic, n.o.s..	6.1	UN3008	I	POISON.....
				II	POISON.....

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ORROSIVE, POISON.	10, B8, B14, B32, N1, N26, N34.	None	227	244	Forbidden	Forbidden	1	1	8, 40
ORROSIVE		154	213	241	25 kg	100 kg	1,3	1,3	12
AMMABLE SOLID.	A20, B10, N34.	None	212	240	15 kg	50 kg	1,3	1	74
ONTANE-OUSLY COMBUSTI-BLE, POISON.	A19, B12, B26, N1, N15, N34, T15, T26, T33.	None	188	243	Forbidden	Forbidden	1,3	5	
ONTANE-OUSLY COMBUSTI-BLE, POISON.	A19, B12, B26, N1, N15, N34, T15, T26, T29.	None	188	243	Forbidden	Forbidden	1	5	
ORROSIVE	T7, T38	154	213	240	25 kg	100 kg	1,2	1,2	34
AMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	1,3	5	
AMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	1,3	1	
ISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	1	1	23, 40, 95
ISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	1,2	1	23, 40, 95
EP AWAY FROM FOOD.	T14	153	203	242	60 L	220 L	1,2	1,2	23, 34, 40
ISON	T42	None	201	243	1 L	30 L	1	1	40, 95
ISON	T14	None	202	243	5 L	60 L	1,2	1	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Phthalimide derivative pesticides, solid, toxic, n.o.s..	6.1	UN2773	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Picolines	3	UN2313	II	FLAMMABLE LIQUID.
	Picric acid, *see* Trinitrophenol, *etc.*	.....	.....		
D	Picric acid, wet, with not less than 10% water.	4.1	NA1344	I	FLAMMABLE SOLID.
	Picrite, *see* Nitroguanidine, *etc.*	.....	.....		
	Picryl chloride, *see* Trinitrochlorobenzene	.....	.....		
	Pinane hydroperoxide, *see* Pinanyl hydroperoxide(*technically pure.*	.....	.....		
	Pinanyl hydroperoxide *or* Pinane hydroperoxide, *technically pure.*	5.2	UN2162	I	ORGANIC PEROXIDE.
	Pindone *liquid*	6.1	UN2472	III	KEEP AWAY FROM FOOD.
	Pindone *solid*	6.1	UN2472	III	KEEP AWAY FROM FOOD.
	alpha-Pinene	3	UN2368	III	FLAMMABLE LIQUID.
	Pine oil	3	UN1272	III	FLAMMABLE LIQUID.
	Piperazine.....	8	UN2579	III	CORROSIVE.....
	Piperidine.....	3	UN2401	II	FLAMMABLE LIQUID.
	Pivaloyl chloride, see Trimethyl acetyl chloride.	.....	.....		
	Plastic moulding material *in dough, sheet or extruded rope form.*	9	.....	III	CLASS 9 .....
	Plastics, nitrocellulose based, spontaneously combustible, n.o.s..	4.2	UN2006	III	SPONTANEOUSLY COMBUSTIBLE.
	Plastic solvent, n.o.s., see Flammable liquids, n.o.s..	.....	.....		
	Poisonous gases, n.o.s., see Compressed *or* liquefied gases, flammable *or* toxic, n.o.s..	.....	.....		
	Poisonous liquids, corrosive, n.o.s.	6.1	UN2927	I	POISON, CORROSIVE.
	.....	.....	.....	II	POISON, CORROSIVE.
	Poisonous liquids, corrosive, n.o.s., *inhalation hazard, Packing Group I, Zone A.*	6.1	UN2927	I	POISON, CORROSIVE.

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AWAY M FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
N.		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
N.		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
AWAY M FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
IABLE ID.	T8	150	202	242	5 L	60 L	1,3	1,3	40
IABLE D.	A19, A20, N34(N41.	None	211	None	Forbidden	Forbidden	1	5	
NIC OXIDE.	B19, T25	None	225	243	1 L	5 L	1	5	12, 40
AWAY M FOOD.		153	203	241	60 L	220 L	1,2	1,2	34
AWAY M FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
IABLE ID.	T1	150	203	242	60 L	220 L	1,3	1,3	
IABLE ID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
OSIVE.	T7	154	213	240	25 kg	100 kg	1,3	1,3	12
IABLE ID.	T2	150	202	242	5 L	60 L	1,3	1	13
9		155	213	None	100 kg	200 kg	1,2	1,2	
TANE- LY BUSTI-		None	213	None	Forbidden	Forbidden	1	1	
N, ROSIVE.	B38, T42	None	201	243	0.5 L	2.5 L	1,2	1	20, 40, 95
N, ROSIVE.		None	202	243	1 L	30 L	1,2	1	20, 40, 95
N, ROSIVE.	10, B14, B30.	None	226	245	Forbidden	Forbidden	1	5	20, 40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Poisonous liquids, corrosive, n.o.s., *inhalation hazard, Packing Group I, Zone B.*	6.1	UN2927	I	POISON, CORROSIVE.
	Poisonous liquids, flammable, n.o.s.	6.1	UN2929	I	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	II	POISON, FLAMMABLE LIQUID.
	Poisonous liquids, flammable, n.o.s., *inhalation hazard, Packing Group I, Zone A.*	6.1	UN2929	I	POISON, FLAMMABLE.
	Poisonous liquids, flammable, n.o.s., *inhalation hazard, Packing Group I, Zone B.*	6.1	UN2929	I	POISON, FLAMMABLE.
	Poisonous liquids, n.o.s.	6.1	UN2810	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Poisonous liquids, n.o.s., *inhalation hazard, Packing Group I, Zone A.*	6.1	UN2810	I	POISON.
	Poisonous liquids, n.o.s., *inhalation hazard, Packing Group I, Zone B.*	6.1	UN2810	I	POISON.
	Poisonous solids, corrosive, n.o.s.	6.1	UN2928	I	POISON, CORROSIVE.
	.....	.....	.....	II	POISON, CORROSIVE.
	Poisonous solids, flammable, n.o.s.	6.1	UN2930	I	POISON, FLAMMABLE SOLID.
	.....	.....	.....	II	POISON, FLAMMABLE SOLID.
	Poisonous solids, n.o.s.	6.1	UN2811	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Poisonous solids, oxidizing, n.o.s.	6.1	UN3086	I	POISON, OXIDIZER.
	.....	.....	.....	II	POISON, OXIDIZER.
	Polyalkylamines, n.o.s., *see* Alkylamines, *etc.*.	.....	.....		
AW	Polychlorinated biphenyls	9	UN2315	II	CLASS 9
D	Polyester resin kits	5.2	NA2255	II	ORGANIC PEROXIDE.
	Polystyrene beads, expandable, *evolving flammable vapor.*.	9	UN2211	III	CLASS 9

abels (6)	Special provisions (7)	(8) Packaging authorizations (§173.***) Exceptions (8A)	Non-bulk packaging (8B)	Bulk packaging (8C)	(9) Quantity limitations Passenger aircraft or railcar (9A)	Cargo aircraft only (9B)	(10) Vessel stowage requirements Cargo vessel (10A)	Passenger vessel (10B)	Other stowage provisions (10C)
N, ROSIVE.	10, B14, B32.	None	227	244	Forbidden	Forbidden	1	5	20, 40, 95
N, MMABLE ID.	B38, B40, T42.	None	201	243	1 L	30 L	1,2	1	21, 40, 95
N, MMABLE ID.	T15	None	202	243	5 L	60 L	1,2	1	21, 40, 95
N, MMABLE.	10, B14, B30.	None	226	245	Forbidden	Forbidden	1	5	20, 40, 95
N, MMABLE.	10, B14, B32.	None	227	244	Forbidden	Forbidden	1	5	20, 40, 95
N	B38, B40, T42.	None	201	243	1 L	30 L	1,2	1	40, 95
N	T14	None	202	243	5 L	60 L	1,2	1	40, 95
AWAY M FOOD.	T7	153	203	241	60 L	220 L	1,2	1	34, 40
N	10, B14, B30.	None	226	245	Forbidden	Forbidden	1	5	20, 40, 95
N	10, B14, B32.	None	227	244	Forbidden	Forbidden	1	5	20, 40, 95
N, ROSIVE.		None	211	242	1 kg	25 kg	1,2	1	20, 40, 95
N, ROSIVE.		None	212	242	15 kg	50 kg	1,2	1	20, 40, 95
N, MMABLE D.		None	211	242	1 kg	15 kg	1,2	1	24, 40, 95
N, MMABLE D.		None	212	242	15 kg	50 kg	1,2	1	24, 40, 95
N		None	211	242	5 kg	50 kg	1,2	1	95
N		None	212	242	25 kg	100 kg	1,2	1	95
AWAY M FOOD.		153	213	240	100 kg	200 kg	1,2	1	34
N, IZER.		None	211	242	1 kg	15 kg	1,2	1	40, 89, 95
N, IZER.		None	212	242	15 kg	50 kg	1,2	1	40, 89, 95
9	B10	155	202	240	100 L	220 L	1,2	1,2	34
NIC OXIDE.	66	None	225	246	5 kg	5 kg	1	5	
9		221	221	240	100 kg	200 kg	1,2	1,2	84

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	
(1)	(2)	(3)	(4)	(5)	(6)	
	Potassium	4.3	UN2257	II	DANGEROUS WHEN WET.	A
	Potassium arsenate	6.1	UN1677	II	POISON	
	Potassium arsenite	6.1	UN1678	II	POISON	
	Potassium bifluoride, *solid*	8	UN1811	II	CORROSIVE, POISON.	N
	Potassium bifluoride solution, see Corrosive liquid, n.o.s..					
	Potassium bifluoride, *solution*	8	UN1811	II	CORROSIVE, POISON.	N
	Potassium bisulfite solution, *see* Bisulfites, inoganic, aqueous solutions, n.o.s..					
	Potassium borohydride	4.3	UN1870	I	DANGEROUS WHEN WET.	A
	Potassium bromate	5.1	UN1484	II	OXIDIZER	B
	Potassium carbonyl	Forbidden				
	Potassium chlorate	5.1	UN1485	II	OXIDIZER	B
	Potassium chlorate mixed with mineral oil, see Explosive, blasting, type C.					
	Potassium chlorate, solution	5.1	UN2427	II	OXIDIZER	A
	Potassium cuprocyanide	6.1	UN1679	II	POISON	
	Potassium cyanide	6.1	UN1680	I	POISON	N
	Potassium dichloro isocyanurate. See Oxidizer, n.o.s..					
	Potassium dithionite *or* Potassium hydrosulfite.	4.2	UN1929	II	SPONTANEOUSLY COMBUSTIBLE.	A
	Potassium fluoride	6.1	UN1812	III	KEEP AWAY FROM FOOD.	T
	Potassium fluoroacetate	6.1	UN2628	I	POISON	
	Potassium fluorosilicate	6.1	UN2655	III	KEEP AWAY FROM FOOD.	
	Potassium hydrate, see Potassium hydroxide, solid.					
	Potassium hydrogen fluoride, see Potassium bifluoride.					
	Potassium hydrogen fluoride solution, see Corrosive liquid, n.o.s..					
	Potassium hydrogen sulfate	8	UN2509	II	CORROSIVE	N
	Potassium hydrosulfite, *see* Potassium dithionite.					

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
OUS WET.	A19, A20, B27, N6, N34, T15, T26.	None	212	244	Forbidden	50 kg	1	5	
		None	212	242	25 kg	100 kg	1,2	1,2	95
		None	212	242	25 kg	100 kg	1,2	1,2	95
IVE, N.	N3, N34, T8.	154	212	242	15 kg	50 kg	1,3	1,3	25, 26, 40
IVE, N.	N3, N34, T8.	154	202	242	1 L	30 L	1,3	1,3	25, 26, 40
OUS WET.	A19	None	211	242	Forbidden	15 kg	1,3	5	
R	B10	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
R	B10, N13, N34.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
R	A2, T8	152	202	241	1 L	5 L	1,2	1	46, 56
		None	212	242	25 kg	100 kg	1,2	1,2	26, 95
	N74, N75, T8, T26.	None	211	242	5 kg	50 kg	1,2	1,2	26, 95
NE- JSTI-	A19, A20, N2.	None	212	241	15 kg	50 kg	1,3	5	13
VAY FOOD.	T8	153	213	240	100 kg	200 kg	1,2	1,2	26, 34
		None	211	242	5 kg	50 kg	1,2	5	95
VAY FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	26, 34
IVE	N26, N34	154	212	240	15 kg	50 kg	1,2	1,2	27

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	Spe provi
(1)	(2)	(3)	(4)	(5)	(6)	(7
	Potassium hydroxide, liquid, see Potassium hydroxide solution.					
	Potassium hydroxide, solid	8	UN1813	II	CORROSIVE	
	Potassium hydroxide, solution	8	UN1814	II	CORROSIVE	B2, T
	Potassium hypochlorite, solution, see Hypochlorite solutions, *etc.*.					
	Potassium, metal alloys	4.3	UN1420	II	DANGEROUS WHEN WET.	A19, B2 N1
	Potassium metal, liquid alloy, see Alkali metal alloys, liquid.					
	Potassium metavanadate	6.1	UN2864	II	POISON	
	Potassium monoxide	8	UN2033	II	CORROSIVE	
	Potassium nitrate	5.1	UN1486	III	OXIDIZER	A1, A
	Potassium nitrate and sodium nitrite mixtures.	5.1	UN1487	II	OXIDIZER	B10,
	Potassium nitrite	5.1	UN1488	II	OXIDIZER	B10
	Potassium perchlorate	5.1	UN1489	II	OXIDIZER	B10,
	Potassium permanganate	5.1	UN1490	II	OXIDIZER	B10,
	Potassium peroxide	5.1	UN1491	I	OXIDIZER	A20, N3
	Potassium persulfate	5.1	UN1492	III	OXIDIZER	A1, A
	Potassium phosphide	4.3	UN2012	I	DANGEROUS WHEN WET, POISON.	A19
	Potassium salts of aromatic nitro-derivatives, *explosive-*.	1.3C	UN0158			
	Potassium selenate, *see* Selenates *or* Selenites.					
	Potassium selenite, *see* Selenates *or* Selenites.					
	Potassium sodium alloys	4.3	UN1422	I	DANGEROUS WHEN WET.	A19, N3 T15 T26
	Potassium sulfide, anhydrous *or* Potassium sulfide *with less than 30 per cent water of crystallization.*	4.2	UN1382	II	SPONTANEOUSLY COMBUSTIBLE.	A19, B16 N3
	Potassium sulfide, hydrated *with not less than 30 per cent water of crystallization.*	8	UN1847	II	CORROSIVE	B10
	Potassium superoxide	5.1	UN2466	I	OXIDIZER	A20
	Powder cake (Powder paste) wetted *with not less than 35 per cent water, by weight.*	1.3C	UN0159			
	Powder cake, wetted *with not less than 17 per cent alcohol by weight.*	1.1C	UN0433			
	Powder paste, *see* Powder cake, *etc.*					
	Powder, smokeless	1.1C	UN0160			

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
		154	212	240	15 kg	50 kg	1,2	1,2	
	B2, T8	154	202	242	1 L	30 L	1,2	1,2	
S T.	A19, A20, B27, N16.	None	212	244	Forbidden	50 kg	1	5	
		None	212	242	25 kg	100 kg	1,2	1,2	95
		154	212	240	15 kg	50 kg	1,2	1,2	
	A1, A29	152	212	240	25 kg	100 kg	1,2	1,2	
	B10, B12	152	212	240	5 kg	25 kg	1,2	1,2	34, 56, 58
	B10	152	212	240	5 kg	25 kg	1,2	1,2	34, 56, 58
	B10, T8	152	212	240	5 kg	25 kg	1,2	1,2	46
	B10, B12	152	212	240	5 kg	25 kg	1,2	1,2	56, 69
	A20, N16, N34.	None	211	None	Forbidden	15 kg	1,2	1,2	13
	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	
S T,	A19	None	211	None	Forbidden	15 kg	1,2	5	40, 85
S T.	A19, B27, N34, T15, T26.	None	211	244	Forbidden	15 kg	1	5	
	A19, A20, B16, N34.	None	212	241	15 kg	50 kg	1,3	1,3	52
	B10	154	212	240	15 kg	50 kg	1,2	1,2	26
	A20	None	211	None	Forbidden	15 kg	1,2	1	13, 31

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	
(1)	(2)	(3)	(4)	(5)	(6)	
	Powder, smokeless	1.3C	UN0161			
	Power device, explosive, see Cartridges, power device.					
	Primers, cap type	1.4S	UN0044			
	Primers, cap type	1.1B	UN0377			
	Primers, cap type	1.4B	UN0378			
	Primers, small arms, see Primers, cap type					
	Primers, tubular	1.3G	UN0319			
	Primers, tubular	1.4G	UN0320			
	Primers, tubular	1.4S	UN0376			
	Projectiles, illuminating, see Ammunition, illuminating, *etc.*.					
	Projectiles, *inert with tracer*	1.45	UN0345			
	Projectiles, *inert, with tracer*	1.3G	UN0424			
	Projectiles, *inert, with tracer*	1.4G	UN0425			
	Projectiles, *with burster or expelling charge*	1.2D	UN0346			
	Projectiles, *with burster or expelling charge*	1.4D	UN0347			
	Projectiles, *with burster or expelling charge*	1.2F	UN0426			
	Projectiles, *with burster or expelling charge*	1.4F	UN0427			
	Projectiles, *with burster or expelling charge*	1.2G	UN0434			
	Projectiles, *with burster or expelling charge*	1.4G	UN0435			
	Projectiles, *with bursting charge*	1.1F	UN0167			
	Projectiles, *with bursting charge*	1.1D	UN0168			
	Projectiles, *with bursting charge*	1.2D	UN0169			
	Projectiles, *with bursting charge*	1.2F	UN0324			
	Projectiles, *with bursting charge*	1.4D	UN0344			
	Propadiene, inhibited	2.1	UN2200		FLAMMABLE GAS.	B1
	Propadiene mixed with methyl acetylene, see Methyl acetylene and propadiene mixtures, stabilized.					
	Propane *see also* Petroleum gases, liquified.	2.1	UN1978		FLAMMABLE GAS.	
	Propanethiols	3	UN2402	II	FLAMMABLE LIQUID.	T8
	n-Propanol	3	UN1274	II	FLAMMABLE LIQUID.	B1
D	Propargyl alcohol	3	NA1986	II	FLAMMABLE LIQUID, POISON.	
	Propionaldehyde	3	UN1275	II	FLAMMABLE LIQUID.	T1
	Propionic acid	8	UN1848	III	CORROSIVE	T7
	Propionic anhydride	8	UN2496	III	CORROSIVE	T2
	Propionitrile	3	UN2404	II	FLAMMABLE LIQUID, POISON.	B1

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
LE	B13	None	304	244	Forbidden	150 kg	1	5	40
LE		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
LE	T8	150	202	242	5 L	60 L	1,3	5	12, 13, 34, 35, 40
LE	B1, T1	150	202	242	5 L	60 L	1,3	1	
LE		None	202	243	Forbidden	1 L	1,3	1	
LE	T14	150	202	242	5 L	60 L	1,3	1	12
/E	T7	154	203	241	5 L	60 L	1,3	1,3	22, 76, 77
/E	T2	154	203	241	5 L	60 L	1,2	1,2	8
LE	B14	None	201	243	Forbidden	60 L	1,3	5	12, 40, 94

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	S pro
(1)	(2)	(3)	(4)	(5)	(6)	
	Propionyl chloride	3	UN1815	II	FLAMMABLE LIQUID, CORROSIVE.	T8,
	Propionyl peroxide, *see* Dipropionyl peroxide, *etc.*.					
	n-Propyl acetate	3	UN1276	II	FLAMMABLE LIQUID.	T1
	Propyl alcohol, *see* Propanol					
	Propylamine	3	UN1277	II	FLAMMABLE LIQUID.	N34
	n- Propyl benzene	3	UN2364	III	FLAMMABLE LIQUID.	T1
	Propyl chloride	3	UN1278	II	FLAMMABLE LIQUID.	N34
	n-Propyl chloroformate	6.1	UN2740	I	FLAMMABLE LIQUID, POISON, CORROSIVE.	B6, B N N N 1
	Propylene chlorohydrin	6.1	UN2611	II	POISON	T9
	1,2-Propylenediamine	8	UN2258	II	CORROSIVE	N1, N T
	Propylene dichloride	3	UN1279	II	FLAMMABLE LIQUID.	N36
	Propyleneimine, inhibited	3	UN1921	I	FLAMMABLE LIQUID.	N1, N T
	Propylene oxide	3	UN1280	I	FLAMMABLE LIQUID.	N1, N T T
	Propylene *see also* Petroleum gases, liquified.	2.1	UN1077		FLAMMABLE GAS.	
	Propylene tetramer	3	UN2850	III	FLAMMABLE LIQUID.	B1,
	Propyl formates	3	UN1281	II	FLAMMABLE LIQUID.	T8
	n-Propyl isocyanate	3	UN2482	I	FLAMMABLE LIQUID, POISON.	N15 N T T
	Propyl mercaptan, see Propanethiols					
	n-Propyl nitrate	3	UN1865	II	FLAMMABLE LIQUID.	T25

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
LE	T8, T26	None	202	243	1 L	5 L	1,3	1	40
IVE.									
LE	T1	150	202	242	5 L	60 L	1,3	1	
LE	N34, T14	None	202	242	5 L	60 L	1,3	5	12, 40
LE	T1	150	203	242	60 L	220 L	1,3	1	
LE	N34, T14	None	202	242	Forbidden	60 L	1,3	5	12
LE	B6, B14, B32, N1, N11, N26, N34, 10.	None	227	244	Forbidden	Forbidden	1,3	5	21, 40, 95
IVE.									
	T9	None	202	243	5 L	60 L	1,3	1,3	12, 21, 25, 40, 95
E	N1, N11, N34, T8.	None	202	243	1 L	30 L	1,3	1,3	40
E	N36, T1	150	202	242	5 L	60 L	1,3	1	
E	N1, N15, N34, T25.	None	201	243	1 L	30 L	1,3	5	40
E	N1, N15, N34, T20, T29.	None	201	243	1 L	30 L	1,3	5	12
E		306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
E	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
E	T8	150	202	242	5 L	60 L	1,3	1	
E	N15, N26, T18, T26.	None	201	243	Forbidden	30 L	1	5	12, 40, 48
E	T25	150	202	None	5 L	60 L	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	p
(1)	(2)	(3)	(4)	(5)	(6)	
	Propyltrichlorosilane	8	UN1816	II	CORROSIVE	B2
	Prussic acid, see Hydrogen cyanide					
	Pyridine	3	UN1282	II	FLAMMABLE LIQUID, POISON.	T8
	Pyridine perchlorate	Forbidden				
	Pyrophoric *or* Pyroforic liquids, n.o.s.	4.2	UN2845	I	SPONTANEOUSLY COMBUSTIBLE.	B1
	Pyrophoric *or* Pyroforic solids, n.o.s.	4.2	UN2846	I	SPONTANEOUSLY COMBUSTIBLE.	
				II	SPONTANEOUSLY COMBUSTIBLE.	
				III	SPONTANEOUSLY COMBUSTIBLE.	
	Pyrophoric metals, n.o.s., *or* Pyrophoric alloys, n.o.s..	4.2	UN1383	I	SPONTANEOUSLY COMBUSTIBLE.	B1
	Pyrosulfuryl chloride	8	UN1817	II	CORROSIVE	B2
	Pyroxylin solution or solvent, see Nitrocellulose.					
	Pyrrolidine	3	UN1922	II	FLAMMABLE LIQUID.	T1
	Quebrachitol pentanitrate	Forbidden				
	Quicklime, see Calcium oxide					
	Quinoline	6.1	UN2656	III	KEEP AWAY FROM FOOD.	T8
	R 12, see Dichlorodifluoromethane					
	R 12B1, see Chlorodifluorobromomethane					
	R 13, see Chlorotrifluoromethane					
	R 13B1, see Bromotrifluoromethane					
	R 14, see Tetrafluoromethane					
	R 21, see Dichlorofluoromethane					
	R 22, see Chlorodifluoromethane					
	R 114, see Dichlorotetrafluoroethane					

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
VE	B2, B6, N16, N26, N34, T8, T26.	None	202	242	Forbidden	30 L	1	1	13, 21, 78
BLE	T8	None	202	243	1 L	60 L	1,3	1	40
E-STI-	B11	None	181	244	Forbidden	Forbidden	1	5	18
E-STI-		None	187	242	Forbidden	Forbidden	1	1	
E-STI-		None	187	241	Forbidden	Forbidde	1	1	
E-STI-		None	187	241	Forbidden	Forbidden	1	1	
E-STI-	B11	None	187	242	Forbidden	Forbidden	1	5	
VE	B2, T9, T27.	154	202	242	1 L	30 L	1	1	8, 40
LE	T1	150	202	242	5 L	60 L	1,3	1	40
AY OOD.	T8	153	203	241	60 L	220 L	1,3	1,3	12, 22, 25, 34

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	Sp prov
(1)	(2)	(3)	(4)	(5)	(6)	
	R 115, see Chloropentafluoroethane					
	R 116, see Hexafluoroethane					
	R 124, see Chlorotetrafluoroethane					
	R 133a, see Chlorotrifluoroethane					
	R 152a, see Difluoroethane					
	R 500, see Dichlorodifluoromethane and difluorethane, *etc.*.					
	R 502, see Chlorodifluoromethane and chloropentafluoroethane mixture, *etc.*.					
	R 503, see Chlorotrifluoromethane and trifluoromethane, *etc.*.					
	Radioactive material, excepted package-articles manufactured from natural *or* depleted uranium *or* natural thorium.	7	UN2910		None	
	Radioactive material, excepted package-empty packaging.	7	UN2910		EMPTY	
	Radioactive material, excepted package-instruments *or* articles.	7	UN2910		None	
	Radioactive material, excepted package-limited quantity of material.	7	UN2910		None	
	Radioactive material, fissile, n.o.s., *Class I, II, or III.*	7	UN2918		RADIOACTIVE	
	Radioactive material, low specific activity *LSA*, n.o.s..	7	UN2912		RADIOACTIVE	
	Radioactive material, n.o.s.	7	UN2982		RADIOACTIVE	
	Radioactive material, special form, n.o.s.	7	UN2974		RADIOACTIVE	
	Railway torpedo, see Signals, railway track, explosive.					
	Rare gases and nitrogen mixtures	2.2	UN1981		NONFLAMMABLE GAS.	B13.
	Rare gases and oxygen mixtures	2.2	UN1980		NONFLAMMABLE GAS.	B13.
	Rare gases, mixtures (*e.g. Argon; Helium; Krypton; Neon; Xenon*).	2.2	UN1979		NONFLAMMABLE GAS.	B13.
	RC 318, see Octafluorocyclobutane					
	RDX, see Cyclotrimethylene trinitramine, etc..					
	Receptacles, small with flammable gas *without a dispersion device, not refillable.*	2.1	UN2037		FLAMMABLE GAS.	
	Red phosphorus, see Phosphorus, amorphous.					
	Refrigerant gases, n.o.s. (*e.g. non-flammable halocarbons*).	2.2	UN1078		NONFLAMMABLE GAS.	B51.

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
		421-1, 424	421-1, 424	None			1,2	1,2	
		427	427	427			1,2	1,2	
		421-1, 422	421-1, 422	None					
		421, 421-1	421, 421-1	None			1,2	1,2	
VE		453	417	None			1,2	1,2	
VE		421, 422, 424	425	425			1,2	1,2	
VE		421, 422, 424	415, 416	None			1,2	1,2	
VE		421, 422	415, 416	None			1,2	1,2	
MA-	B13	306	302	244	75 kg	150 kg	1,3	1,3	85
MA-	B13	306	302	244	75 kg	150 kg	1,3	1,3	85
MA-	B13	306	302	244	75 kg	150 kg	1,3	1,3	85
E		306	304	None	1 kg	15 kg	1	1	40
MA-	B51	306	304	314, 315	75 kg	150 kg	1,3	1,3	85

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	Sp pro
(1)	(2)	(3)	(4)	(5)	(6)	
D	Refrigerant gas, n.o.s. *or* Dispersant gas, n.o.s..	2.1	NA1954	.....	FLAMMABLE GAS.	B51
D	Refrigerating machine	3	NA1993	III	FLAMMABLE LIQUID.	.....
D	Refrigerating machines, *containing flammable, non-poisonous, liquefied gas.*	2.1	NA1954	.....	FLAMMABLE GAS.	.....
	Refrigerating machines, *containing nonflammable, non-poisonous, liquefied gas.*	2.2	UN2857	.....	NONFLAMMABLE GAS.	.....
	Release devices, explosive	1.4S	UN0173			
	Resin solution, *flammable*	3	UN1866	II	FLAMMABLE LIQUID.	T7 ..
	.....	.....	.....	III	FLAMMABLE LIQUID.	B1,
I	Resin solution, poisonous	6.1	UN1996	I	POISON	.....
	.....	.....	.....	II	POISON	.....
	.....	.....	.....	III	KEEP AWAY FROM FOOD.	.....
	Resorcinol	6.1	UN2876	III	KEEP AWAY FROM FOOD.	.....
	Rifle grenade, see Grenades, *hand or rifle, etc.*.	.....	.....			
	Rifle powder, see Powder, smokeless (*UN 0160*).	.....	.....			
	Rivets, explosive	1.4S	UN0174			
	Road asphalt or tar liquid, see Tars, liquid, *etc.*.	.....	.....			
	Rocket motors	1.3C	UN0186			
	Rocket motors	1.1C	UN0280			
	Rocket motors	1.2C	UN0281			
	Rocket motors, liquid fueled	1.2J	UN0395			
	Rocket motors, liquid fueled	1.3J	UN0396			
	Rocket motors *with hypergolic liquids, with or without an expelling charge.*	1.3L	UN0250			
	Rocket motors *with hypergolic liquids, with or without an expelling charge.*	1.2L	UN0322			
	Rockets, line throwing	1.4G	UN0453			
	Rockets, line-throwing	1.2G	UN0238			
	Rockets, line-throwing	1.3G	UN0240			
	Rockets, liquid fueled *with bursting charge*	1.2J	UN0398			
	Rockets, liquid-fueled *with bursting charge*	1.1J	UN0397			
	Rockets, *with bursting charge*	1.1F	UN0180			
	Rockets, *with bursting charge*	1.1E	UN0181			
	Rockets, *with bursting charge*	1.2E	UN0182			
	Rockets, *with bursting charge*	1.2F	UN0295			
	Rockets, *with expelling charge*	1.2C	UN0436			
	Rockets, *with expelling charge*	1.3C	UN0437			
	Rockets, *with expelling charge*	1.4C	UN0438			
	Rockets, *with inert head*	1.3C	UN0183			
	Rodenticides, n.o.s.(*liquid*)	6.1	UN1681	I	POISON	.....
	.....	.....	.....	II	POISON	.....

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
E	B51	306	304	314, 315	Forbidden	150 kg	1	1	40
E		174	174	None	10 L	10 L	1,3	1	
E		306	306	306	Forbidden	Forbidden	1	1	40
IA-		306, 307	306	306, 307	Forbidden	Forbidden	1,3	1,3	85
E	T7	150	202	242	5 L	60 L	1,3	1,3	
E	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
		None	201	243	1 L	30 L	1,2	1,2	23, 95
		None	202	243	5 L	60 L	1,2	1,2	23, 95
Y		153	203	241	60 L	220 L	1,2	1,2	23, 34
OD.									
Y		153	213	240	100 kg	200 kg	1,2	1,2	34
OD.									
		None	201	243	1 L	30 L	1	1	40, 95
		None	202	243	5 L	60 L	1,2	1	40, 95

Symbols (1)	Hazardous materials descriptions and proper shipping names (2)	Hazard class (3)	Identification numbers (4)	Packing group (5)	Labels (6)	S pr
	.....	.....	.....	III	KEEP AWAY FROM FOOD.	.....
	Rodenticides, n.o.s. (*solid*)	6.1	UN1681	I	POISON	.....
	.....	.....	.....	II	POISON	.....
	.....	.....	.....	III	KEEP AWAY FROM FOOD.	.....
	Rosin oil	3	UN1286	II	FLAMMABLE LIQUID.	T7
	.....	.....	.....	III	FLAMMABLE LIQUID.	B1
	Rubber solution	3	UN1287	II	FLAMMABLE LIQUID.	T7
	.....	.....	.....	III	FLAMMABLE LIQUID.	B1
	Rubidium	4.3	UN1423	I	DANGEROUS WHEN WET.	A1
	Rubidium hydroxide	8	UN2678	II	CORROSIVE	T8
	Rubidium hydroxide solution	8	UN2677	II	CORROSIVE	B2
	Safety fuse, see Fuse, safety	.....	.....			
	Safety squibs, see Squibs, *etc.*	.....	.....			
	Samples, explosive, *other than initiating explosives.*	.....	UN0190			
	Sand acid, see Fluorosilicic acid	.....	.....			
I	Seed cake *with more than 1.5 per cent oil and not more than 11 per cent moisture.*	4.2	UN1386	III	None	.....
I	Seed cake *with not more than 1.5 per cent oil and not more than 11 per cent moisture.*	4.2	UN2217	III	None	.....
	Selenates *or* Selenites	6.1	UN2630	I	POISON	.....
	Selenic acid	8	UN1905	I	CORROSIVE	N3
	Selenites, *see* Selenates *or* Selenites	.....	.....			
	Selenium disulfide	6.1	UN2657	II	POISON	.....
	Selenium hexafluoride	2.3	UN2194	I	POISON GAS	10
	Selenium nitride	Forbidden	.....			
D	Selenium oxide	6.1	NA2811	I	POISON	.....
	Selenium oxychloride	8	UN2879	I	CORROSIVE, POISON.	N1
	Selenium powder	6.1	UN2658	III	KEEP AWAY FROM FOOD.	.....
	Self-heating substances, solid, n.o.s.	4.2	UN3088	II	SPONTANEOUSLY COMBUSTIBLE.	.....

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	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AY		153	203	241	60 L	220 L	1,2	1,2	34, 40
FOOD.									
		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
AY		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
FOOD.									
LE	T7	150	202	242	5 L	60 L	1,3	1	
LE	B1, T1	150	203	242	60 L	220 L	1,2	1,2	
LE	T7, T30	150	202	242	5 L	60 L	1,3	1	
LE	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
OUS	A19, N26,	None	211	242	Forbidden	15 kg	1	5	
VET.	N34, N45, 22.								
VE	T8	154	212	240	15 kg	50 kg	1,2	1,2	
VE	B2	154	202	242	1 L	30 L	1,2	1,2	
		None	213	241	Forbidden	Forbidden	1,3	5	
		None	213	241	Forbidden	Forbidden	1,3	1,3	
		None	211	242	5 kg	50 kg	1,2	5	95
VE	N34	None	211	240	Forbidden	25 kg	1,2	1,2	
		None	212	242	25 kg	100 kg	1,2	1,2	95
AS	10	None	302	245	Forbidden	Forbidden	1	5	40, 95
		None	211	242	5 kg	50 kg	1,2	1,2	
VE,	N1, N11, N26, N34, T12, T27.	None	201	243	0.5 L	2.5 L	1,2	5	40
Y		153	213	240	100 kg	200 kg	1,2	1,2	34
OOD.									
E-		None	212	241	Forbidden	Forbidden	1	5	
STI-									

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	S pr
(1)	(2)	(3)	(4)	(5)	(6)	
	.....	.....	.....	III	SPONTANEOUSLY COMBUSTIBLE.	.....
	Self-propelled vehicle, see Vehicles, self-propelled.	.....	.....			
	Self-reactive substances (*aliphatic azo-compounds, aromatic sulphoh ydrazides, N-nitroso compounds, diazonium salts*) Sample, n.o.s..	4.1	UN3031	I	FLAMMABLE SOLID.	.....
	Self-reactive substances (*aliphatic azo-compounds, aromatic sulphohydrazides, n-nitroso compounds, diazonium salts*), Trial quantities, n.o.s..	4.1	UN3032	I	FLAMMABLE SOLID.	.....
	Shale oil.....	3	UN1288	II	FLAMMABLE LIQUID.	T7,
	.....	.....	.....	III	FLAMMABLE LIQUID.	B1, T
	Shaped charges, commercial, see Charges, shaped, commercial.	.....	.....			
	Shaped charges (commercial) containing more than 8 ounces of explosives.	Forbidden	.....			
	Signal devices, hand.....	1.4G	UN0191			
	Signal devices, hand.....	1.4S	UN0373			
	Signals, highway, see Signal devices, hand; Fireworks, type D.	.....	.....			
	Signals, railway track, explosive.....	1.1G	UN0192			
	Signals, railway track, explosive.....	1.4S	UN0193			
	Signals, ship distress (*other than water-activated contrivances*).	1.1G	UN0194			
	Signals, ship distress (*other than water-activated contrivances*).	1.3G	UN0195			
	Signals, ship distress, wateractivated, see Contrivances, water-activated, *etc.*.	.....	.....			
	Signals, smoke *with explosive sound unit*.....	1.1G	UN0196			
	Signals, smoke *with explosive sound unit*.....	1.2G	UN0313			
	Signals, smoke *without explosive sound unit.*	1.4G	UN0197			
	Silane.....	2.1	UN2203	.....	FLAMMABLE GAS.	.....
	Silicofluoric acid, see Fluorosilicic acid	.....	.....			
	Silicon chloride, see Silicon tetrachloride.....	.....	.....			
	Silicon powder, amorphous.....	4.1	UN1346	III	FLAMMABLE SOLID.	A1

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
E-STI-		None	213	241	Forbidden	Forbidden	1	5	
LE		None	214	None	Forbidden	Forbidden	1	5	
LE		None	214	None	Forbidden	Forbidden	1	5	
LE	T7, T30	150	202	242	5 L	60 L	1,3	1	
LE	B1, T7, T30.	150	203	242	60 L	220 L	1,2	1,2	
LE		None	302	None	Forbidden	Forbidden	1	5	25, 40, 74
LE	A1	None	213	240	25 kg	100 kg	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	S pr
(1)	(2)	(3)	(4)	(5)	(6)	
	Silicon tetrachloride	8	UN1818	II	CORROSIVE	B2 N N N T T T
	Silicon tetrafluoride	2.3	UN1859	III	POISON GAS, CORROSIVE.	B1 E
	Silver acetylide (dry)	Forbidden				
	Silver arsenite	6.1	UN1683	II	POISON	
	Silver azide (dry)	Forbidden				
	Silver chlorite (dry)	Forbidden				
	Silver cyanide	6.1	UN1684	II	POISON	
	Silver fulminate (dry)	Forbidden				
	Silver nitrate	5.1	UN1493	II	OXIDIZER	B1
	Silver oxalate (dry)	Forbidden				
	Silver picrate (dry)	Forbidden				
	Silver picrate, wetted *with not less than 30 per cent water, by weight.*	4.1	UN1347	I	FLAMMABLE SOLID.	
	Sludge, acid	8	UN1906	II	CORROSIVE	B2, N N T T T
D	Small arms ammunition	ORM-D	None	III	None	
D	Smokeless powder for small arms (*100 pounds or less*).	4.1	NA1325	I	FLAMMABLE SOLID.	
	Soda lime *with more than 4 per cent sodium hydroxide.*	8	UN1907	III	CORROSIVE	
	Sodium	4.3	UN1428	II	DANGEROUS WHEN WET.	A1 E N N N T T
	Sodium aluminate, solid	8	UN2812	III	CORROSIVE	
	Sodium aluminate, solution	8	UN1819	II	CORROSIVE	B2,

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
/E.....	B2, B6, N1, N11, N34, N41, T18, T26, T29.	154	202	242	1 L.....	30 L.....	1.....	1.....	8, 40
AS, SIVE.	B13, B14, B34, 10.	None	302	244	Forbidden....	Forbidden....	1.....	5.....	40, 95
.....	.....	None	212	242	25 kg.....	100 kg.....	1,2.....	1,2.....	95
.....	.....	None	212	242	25 kg.....	100 kg.....	1,2.....	1,2.....	26, 40, 95
.....	B10.....	152	212	240	5 kg.....	25 kg.....	1,2.....	1,2.....	34
LE	.....	None	211	None	Forbidden....	Forbidden....	1.....	5.....	
/E.....	B2, N1, N26, N34, T9, T14, T27.	None	202	242	Forbidden....	30 L.....	1,2.....	1.....	14, 33
.....	.....	None	230	None	65 lb gross..	65 lb gross..	1,2.....	1,2.....	
LE	.....	None	171	None	Forbidden....	Forbidden....	.....	.....	
/E.....	.....	154	213	240	25 kg.....	100 kg.....	1,2.....	1,2.....	
US VET.	A19, A20, B22, N2, N16, N26, N34, T15, T29.	None	212	243	Forbidden....	50 kg.....	1.....	5.....	
/E.....	.....	154	213	240	25 kg.....	100 kg.....	1,2.....	1,2.....	
/E.....	B2, T8.....	154	202	242	1 L.....	30 L.....	1,2.....	1,2.....	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	P
(1)	(2)	(3)	(4)	(5)	(6)	
	Sodium aluminum hydride	4.3	UN2835	II	DANGEROUS WHEN WET.	A1
	Sodium ammonium vanadate	6.1	UN2863	II	POISON	
	Sodium arsanilate	6.1	UN2473	III	KEEP AWAY FROM FOOD.	
	Sodium arsenate	6.1	UN1685	II	POISON	
	Sodium arsenite, aqueous solutions	6.1	UN1686	II	POISON	T1
				III	KEEP AWAY FROM FOOD.	T1
	Sodium arsenite, solid	6.1	UN2027	II	POISON	
	Sodium azide	6.1	UN1687	II	POISON	B2
	Sodium bifluoride, see Sodium hydrogen fluoride.					
	Sodium bisulfate, solid or *solution, see* Sodium hydrogen sulfate, solid *or* solution.					
	Sodium bisulfite, solid or *solution, see* Sodium hydrogen sulfite, solid *or* solution.					
	Sodium borohydride	4.3	UN1426	I	DANGEROUS WHEN WET.	
	Sodium bromate	5.1	UN1494	II	OXIDIZER	B1
	Sodium cacodylate	6.1	UN1688	II	POISON	
	Sodium chlorate	5.1	UN1495	II	OXIDIZER	B1
	Sodium chlorate mixed with dinitrotoluene, see Explosive blasting, type C.					
	Sodium chlorate, solution	5.1	UN2428	II	OXIDIZER	A2
	Sodium chlorite	5.1	UN1496	II	OXIDIZER	B1
	Sodium chlorite solution *with more than 5 per cent available chlorine.*	8	UN1908	II	CORROSIVE	B2
	Sodium chloroacetate	6.1	UN2659	III	KEEP AWAY FROM FOOD.	
	Sodium cuprocyanide, solid	6.1	UN2316	I	POISON	
	Sodium cuprocyanide, solution	6.1	UN2317	I	POISON	T8
	Sodium cyanide	6.1	UN1689	I	POISON	N7
	Sodium 2-diazo-1-naphthol-4-sulphonate	4.1	UN3040	II	FLAMMABLE SOLID.	

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
OUS WET.	A19, A20, N2.	None	212	242	Forbidden	50 kg	1	5	
		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
AY FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
		None	212	240	25 kg	100 kg	1,2	1,2	95
	T15	None	202	243	5 L	60 L	1,2	1,2	95
AY FOOD.	T15	153	203	241	60 L	220 L	1,2	1,2	34
		None	212	242	25 kg	100 kg	1,2	1,2	95
	B28	None	212	242	25 kg	100 kg	1,2	1,2	36, 52, 95
OUS WET.		None	211	242	Forbidden	15 kg	1,3	5	
	B10	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
		None	212	242	25 kg	100 kg	1,2	1,2	26, 95
	B10, N13, N34, T8.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
	A2, B6, T8.	152	202	241	1 L	5 L	1,2	1	46, 56
	B10, N13, N34, T8.	None	212	240	5 kg	25 kg	1,2	1,2	46, 56
VE	B2, N1, N11, N25, N26, N34.	154	202	242	1 L	30 L	1,2	1	
AY OOD.		153	213	240	100 kg	200 kg	1,3	1,3	12, 13, 34
		None	211	242	5 kg	50 kg	1,2	1,2	26, 40, 95
	T8, T26	None	201	243	1 L	30 L	1,2	1	40, 52, 95
	N74, N75, T18, T26.	None	211	242	5 kg	50 kg	1,2	1,2	26, 95
LE		None	214	None	15 kg	50 kg	1	5	25

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	p
(1)	(2)	(3)	(4)	(5)	(6)	
	Sodium 2-diazo-1-naphthol-5-sulphonate	4.1	UN3041	II	FLAMMABLE SOLID.	
	Sodium dichloroisocyanurate or *Sodium dichloro-s-triazinetrione, see* Dichloroisocyanuric acid *etc.*.					
	Sodium dinitro-o-cresolate, *dry or wetted with less than 15 per cent water, by weight.*	1.3C	UN0234			
	Sodium dinitro-o-cresolate, wetted *with not less than 15 per cent water, by weight.*	4.1	UN1348	I	FLAMMABLE SOLID, POISON.	A1
	Sodium dithiojite *or* Sodiui hydrosulfite	4.2	UN1384	II	SPONTANEOUSLY COMBUSTIBLE.	A1
	Sodium fluoride	6.1	UN1690	III	KEEP AWAY FROM FOOD.	T8
	Sodium fluoroacetate	6.1	UN2629	I	POISON	
	Sodium fluorosilicate	6.1	UN2674	III	KEEP AWAY FROM FKOD.	
	Sodium hydrate, see Sodium hydroxide					
	Sodium hydride	4.3	UN1427	I	DANGEROUS WHEN WET.	A1
	Sodium hydrogen fluoride, *solid*	8	UN2439	II	CORROSIVE	N3
	Sodium hydrogen fluoride, *solution*	8	UN2439	II	CORROSIVE	N3
	Sodium hydrogen sulfate, solid	8	UN1821	III	CORROSIVE	
	Sodium hydrogen sulfate, solution	8	UN2837	II	CORROSIVE	B2
D	Sodium hydrosulfide, solution	8	NA2922	II	CORROSIVE	B2
	Sodium hydrosulfide, *with less than 25 per cent water of crystallization.*	4.2	UN2318	II	SPONTANEOUSLY COMBUSTIBLE.	A1
	Sodium hydrosulfide *with not less than 25 per cent water of crystallization.*	8	UN2949	II	CORROSIVE	N2
	Sodium hydrosulfite, *see* Sodium dithionite					
	Sodium hydroxide, solid	8	UN1823	II	CORROSIVE	
	Sodium hydroxide solution	8	UN1824	II	CORROSIVE	B2
	Sodium hypochlorite, solution, see Hypochlorite solutions.					
	Sodium metal, liquid alloy, see Alkali metal alloys, liquid.					
	Sodium methylate	4.3	UN1431	II	DANGEROUS WHEN WET.	A1

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
LE		None	214	None	15 kg	50 kg	1	5	25
LE	A19, A20, N2, N34, N41.	None	211	None	1 kg	15 kg	1	5	36
E- STI-	A19, A20	None	212	241	15 kg	50 kg	1,3	1,3	13
AY OOD.	T8	153	213	240	100 kg	200 kg	1,2	1,2	26, 34
		None	211	242	5 kg	50 kg	1,2	5	40, 95
AY KOD.		153	213	240	100 kg	200 kg	1,2	1,2	26, 34
US VET.	A19	None	211	242	Forbidden	15 kg	1	5	
VE	N3, N34	154	212	240	15 kg	50 kg	1,3	1,3	12, 25, 26, 40
VE	N3, N34	154	202	242	1 L	30 L	1,2	1,2	12, 25, 26, 40
VE		154	213	240	25 kg	100 kg	1,2	1,2	
VE	B2, N26, N34, T8, T26.	154	202	242	1 L	30 L	1,2	1,2	
VE	B2	154	202	242	1 L	30 L	1,2	1,2	
E- STI-	A19, A20, N26.	None	212	241	15 kg	50 kg	1,3	1,3	
VE	N26	154	212	240	15 kg	50 kg	1,2	1,2	26
VE		154	212	240	15 kg	50 kg	1,2	1,2	
VE	B2, N34, T8.	154	202	242	1 L	30 L	1,2	1,2	
US VET.	A19	None	211	242	Forbidden	15 kg	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Sodium methylate solutions *in alcohol*	3	UN1289	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Sodium monoxide	8	UN1825	II	CORROSIVE.
	Sodium nitrate	5.1	UN1498	III	OXIDIZER
	Sodium nitrate and potassium nitrate mixtures.	5.1	UN1499	III	OXIDIZER
	Sodium nitrite	5.1	UN1500	III	OXIDIZER
	Sodium pentachlorophenate	6.1	UN2567	II	POISON.
	Sodium percarbonates	5.1	UN2467	III	OXIDIZER
	Sodium perchlorate	5.1	UN1502	II	OXIDIZER
	Sodium permanganate	5.1	UN1503	II	OXIDIZER
	Sodium peroxide	5.1	UN1504	I	OXIDIZER
	Sodium persulfate	5.1	UN1505	III	OXIDIZER
	Sodium phenolate, solid	8	UN2497	III	CORROSIVE.
	Sodium phosphide	4.3	UN1432	I	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE, POISON.
	Sodium picramate, *dry or wetted with less than 20 per cent water, by weight.*	1.3C	UN0235		
	Sodium picramate, wetted *with not less than 20 per cent water, by weight.*	4.1	UN1349	I	FLAMMABLE SOLID.
	Sodium picryl peroxide	Forbidden			
	Sodium potassium alloys, see Potassium sodium alloys.				
	Sodium salts of aromatic nitro-derivatives, n.o.s., *explosive.*	1.3C	UN0203		
	Sodium selenate, see Selenates *or* Selenites.				
D	Sodium selenite	6.1	NA2630	II	POISON.
	Sodium sulfide, anhydrous *or* Sodium sulfide *with less than 30 per cent water of crystallization.*	4.2	UN1385	II	SPONTANEOUSLY COMBUSTIBLE.
	Sodium sulfide, hydrated *with not less than 30 per cent water.*	8	UN1849	II	CORROSIVE.
	Sodium superoxide	5.1	UN2547	I	OXIDIZER
	Sodium tetranitride	Forbidden			
	Sounding devices, explosive	1.2F	UN0204		

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
HABLE IID.	T8, T31	150	202	242	5 L	60 L	1,3	1	
HABLE IID.	B1, T7, T30.	150	202	242	60 L	220 L	1,3	1,3	
OSIVE		154	212	240	15 kg	50 kg	1,2	1,2	
ER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	
ER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	
ER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	34, 56, 58
N		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
ER	A1, A29, 27.	152	213	240	25 kg	100 kg	1,2	1,2	13
ER	B10, T8	152	212	240	5 kg	25 kg	1,2	1,2	46
ER	B10	152	212	240	5 kg	25 kg	1,2	1,2	56, 69
ER	A20, N16, N34.	None	211	None	Forbidden	15 kg	1,2	1	13, 31, 45, 46
ER	A1	152	213	240	25 kg	100 kg	1,2	1,2	
OSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
EROUS N WET, NTANE-LY BUSTI-POISON.	A19	None	211	None	Forbidden	15 kg	1,3	5	40, 85
HABLE D.	A19, N2, N34, N41.	None	211	None	Forbidden	15 kg	1,3	5	36
N		None	212	242	25 kg	100 kg	1,2	1,2	
TANE-LY BUSTI-	A19, A20, N34.	None	212	241	15 kg	50 kg	1,3	1,3	52
OSIVE	T8	154	212	240	15 kg	50 kg	1,2	1,2	26
ER	A20, N34	None	211	None	Forbidden	15 kg	1,2	5	13, 31, 45, 46

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Sounding devices, explosive	1.1F	UN0296		
	Sounding devices, explosive	1.1E	UN0374		
	Sounding devices, explosive	1.2E	UN0375		
	Spirits of salt, see Hydrochloric acid				
	Squibs	1.4B	UN0422		
	Squibs	1.4G	UN0423		
	Squibs, *including electric squibs and safety squibs.*	1.4S	UN0206		
	Stannic chloride, anhydrous	8	UN1827	II	CORROSIVE
	Stannic chloride, pentahydrate	8	UN2440	III	CORROSIVE
	Stannic phosphides	4.3	UN1433	I	DANGEROUS WHEN WET.
	Steel swarf, *see* Ferrous metal borings, *etc.*.				
	Stibine	2.3	UN2676	I	POISON GAS, FLAMMABLE GAS.
	Storage batteries, wet, see Batteries, *wet etc.*.				
	Strontium arsenite	6.1	UN1691	II	POISON
	Strontium chlorate	5.1	UN1506	II	OXIDIZER
	Strontium nitrate	5.1	UN1507	III	OXIDIZER
	Strontium perchlorate	5.1	UN1508	II	OXIDIZER
	Strontium peroxide	5.1	UN1509	II	OXIDIZER
	Strontium phosphide	4.3	UN2013	I	DANGEROUS WHEN WET, POISON.
	Strychnine *or* Strychnine salts	6.1	UN1692	I	POISON
				II	POISON
	Styphnic acid, *see* Trinitroresorcinol, *etc.*				
	Styrene monomer, inhibited	3	UN2055	III	FLAMMABLE LIQUID.
	Substances, explosive, n.o.s.	1.1L	UN0357		
	Substances, explosive, n.o.s.	1.2L	UN0358		
	Substances, explosive, n.o.s.	1.3L	UN0359		
	Substances which in contact with water emit flammable gases, n.o.s. *liquid.*	4.3	UN2813	I	DANGEROUS WHEN WET.
I	Substances which in contact with water emit flammable gases, n.o.s., *solid.*	4.3	UN2813	I	DANGEROUS WHEN WET.
	Substituted nitrophenol pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2780	I	FLAMMABLE LIQUID, POISON.
				II	FLAMMABLE LIQUID, POISON.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ROSIVE	B2, T8, T26.	154	202	242	1 L	30 L	1	1	8
ROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
GEROUS IEN WET.	A19	None	211	242	Forbidden	15 kg	1,3	5	85
ON GAS, AMMABLE S.	10	None	304	245	Forbidden	Forbidden	1	5	40
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
IZER	A1, B10, N13, N34, T8.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
IZER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	
IZER	B10, T8	152	212	240	5 kg	25 kg	1,2	1,2	46
IZER	B10	152	212	240	5 kg	25 kg	1,2	1,2	13
GEROUS IEN WET, ISON.	A19	None	211	None	Forbidden	15 kg	1,3	5	40, 85
ON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
ON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
MABLE UID.	T1	150	203	202	60 L	220 L	1,3	1	
GEROUS IEN WET.	A2, A19	None	201	244	Forbidden	1 L	1,3	5	40
GEROUS IEN WET.		None	211	242	Forbidden	15 kg	1,3	5	
MABLE UID, ISON.		None	201	243	Forbidden	30 L	1,3	5	
MABLE UID, ISON.		None	202	243	1 L	60 L	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Substituted nitrophenol pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN3013	I	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	II	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Substituted nitrophenol pesticides, liquid, toxic, n.o.s..	6.1	UN3014	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Substituted nitrophenol pesticides, solid, toxic, n.o.s..	6.1	UN2779	I	POISON.
	.....	.....	.....	II	POISON.
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Succinic acid peroxide, *see* Disuccinic acid peroxide.	.....	.....		
	Sucrose octanitrate (dry)	Forbidden	.....		
	Sulfamic acid.....	8	UN2967	III	CORROSIVE.
	Sulfur.....	4.1	UN1350	III	FLAMMABLE SOLID.
	Sulfur and chlorate, loose mixtures of.....	Forbidden	.....		
	Sulfur chloride (mono)	8	UN1828	I	CORROSIVE, POISON.
	Sulfur chlorides (*other than mono*)	8	UN1828	I	CORROSIVE.
	Sulfur dichloride, see Sulfur chlorides	.....	.....		
	Sulfur dioxide, liquefied.....	2.3	UN1079	II	POISON GAS.
	Sulfur dioxide solution, see Sulfurous acid	.....	.....		
	Sulfuretted hydrogen, see Hydrogen sulfide, liquefied.	.....	.....		
	Sulfur hexafluoride	2.2	UN1080	.....	NONFLAMMABLE GAS.
	Sulfuric acid, fuming.....	8	UN1831	I	CORROSIVE, POISON.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ON, AMMABLE QUID.	T42	None	201	243	1 L	30 L	1	1	21, 40, 95
ON, AMMABLE QUID.	T14	None	202	243	5 L	60 L	1,2	1	21, 40, 95
P AWAY OM FOOD.	B1, T14	153	203	242	60 L	220 L	1,2	1,2	21, 34, 40
ON	T42	None	201	243	1 L	30 L	1	1	40, 95
ON	T14	None	202	243	5 L	60 L	1,2	1	40, 95
P AWAY OM FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
ON		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
ON		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
P AWAY OM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
ROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
MMABLE LID.	A1	151	213	240	25 kg	100 kg	1,3	1,3	19, 74
ROSIVE, ISON.	10, B6, B14, B32, N26, N35.	None	227	244	Forbidden	Forbidden	1	5	8
ROSIVE	B4, B6, N1, N26, N35, T18, T27.	None	201	242	Forbidden	2.5 L	1	1	8
ON GAS	10, B14	None	304	314, 315	Forbidden	Forbidden	1,3	5	40, 85, 95
FLAMMA-E GAS.	B13	306	304	244	75 kg	150 kg	1,3	1,3	85
ROSIVE, ISON.	N1, N11, N26, N34.	None	201	243	Forbidden	2.5 L	1,2	1	14, 33, 38, 40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Sulfuric acid *over 65.25% concentration*	8	UN1830	II	CORROSIVE.
	Sulfuric acid, spent *over 65.25% concentration.*	8	UN1832	II	CORROSIVE.
	Sulfuric acid, spent *up to 65.25% concentration.*	8	UN1832	II	CORROSIVE.
	Sulfuric acid *up to 65.25% concentration*	8	UN1830	II	CORROSIVE.
	Sulfuric and hydrofluoric acid mixtures, *see* Hydrofluoric and sulfuric acid mixtures.				
	Sulfuric anhydride, see Sulfur trioxide, inhibited.				
	Sulfur, molten	4.1	UN2448	III	FLAMMABLE SOLID.
	Sulfurous acid	8	UN1833	II	CORROSIVE.
	Sulfur tetrafluoride	2.3	UN2418	I	POISON GAS
	Sulfur trioxide, inhibited	8	UN1829	I	CORROSIVE, POISON.
D	Sulfur trioxide, uninhibited	8	NA1829	I	CORROSIVE, POISON.
	Sulfuryl chloride	8	UN1834	I	CORROSIVE.
	Sulfuryl fluoride	2.3	UN2191	III	POISON GAS
	Tars, liquid *including road asphalt and oils, bitumen and cut backs.*	3	UN1999	II	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(5)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
RROSIVE	B2, N1, N26, N34, T9, T27.	None	202	242	1 L	30 L	1,2	1	33, 38, 83
RROSIVE	B2, N1, N26, N34, T9, T27.	None	202	242	Forbidden	30 L	1,2	1	
RROSIVE	B2, N1, N26, N34, T9, T27.	None	202	242	Forbidden	30 L	1,2	1	14, 33, 38
RROSIVE	B2, B15, N1, N26, N34, T9, T27.	154	202	242	1 L	30 L	1,2	1	14, 33, 38
MMABLE QUID.	T9, T38	None	213	241	Forbidden	Forbidden	1	1	74
ROSIVE	B2, T8	154	202	242	1 L	30 L	1,2	1	40
ON GAS	10	None	302	245	Forbidden	Forbidden	1	5	40, 95
ROSIVE, ISON.	10, B12, B14, B29, B32, N16, N26, N34.	None	227	244	Forbidden	Forbidden	1	5	9, 13, 28
ROSIVE, ISON.	10, B12, B14, B32, B49, N16, N26, N34.	None	227	244	Forbidden	Forbidden	1	5	9, 38, 40
ROSIVE	B4, B6, N1, N11, N26, N34, T18, T27.	None	201	242	0.5 L	2.5 L	1	1	8, 40
ON GAS	B34, 10	None	304	314, 315	Forbidden	Forbidden	1,3	5	40, 86, 95
MMABLE QUID.	T7, T30	150	202	242	5 L	60 L	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	.....	.....	.....	III	FLAMMABLE LIQUID.
	Tear gas candles.....	6.1	UN1700	II	POISON, FLAMMABLE SOLID.
	Tear gas cartridges, see Ammunition, tear-producing, *etc.*.	.....	.....		
D	Tear gas devices *with more than 2 per cent tear gas substances, by mass.*	2.3	NA1693	II	POISON GAS...
	Tear gas devices, with not more than 2 per cent tear gas substances, by mass, see Aerosols, *etc.*.	.....	.....		
	Tear gas grenades, see Tear gas candles ...	.....	.....		
	Tear gas substances, n.o.s., liquid.....	6.1	UN1693	II	POISON.....
	Tear gas substances, n.o.s., solid.....	6.1	UN1693	II	POISON.....
	Tellurium hexafluoride.....	2.3	UN2195	II	POISON GAS...
	Terpene hydrocarbons, n.o.s.....	3	UN2319	III	FLAMMABLE LIQUID.
	Terpinolene	3	UN2541	III	FLAMMABLE LIQUID.
	Tetraazido benzene quinone	Forbidden	.....		
	Tetrabromoethane.....	6.1	UN2504	III	KEEP AWAY FROM FOOD
	Tetrachloroethane.....	6.1	UN1702	II	POISON.....
	Tetrachloroethylene	6.1	UN1897	III	KEEP AWAY FROM FOOD
	Tetraethylammonium perchlorate (dry).....	Forbidden	.....		
	Tetraethyl dithiopyrophosphate and gases in solution *or* Tetraethyl dithiopyrophosphate and gases mixtures *LC50 less than or equal to 200 ppm.*	2.3	UN1703	II	POISON GAS...
	Tetraethyl dithiopyrophosphate and gases in solution *or* tetraethyl dithiopyrophphate and gas mixtures *LC50 over 200 up to 500 ppm.*	2.3	UN1703	II	POISON GAS...
	Tetraethyl dithiopyrophosphate, dry or mixture.	6.1	UN1704	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Tetraethyl dithiopyrophosphate, liquid or mixture.	6.1	UN1704	I	POISON.....
	.....	.....	.....	II	POISON.....
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Tetraethylenepentamine.....	8	UN2320	III	CORROSIVE.....
D	Tetraethyl lead, liquid.....	6.1	NA1649	I	POISON.....

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE QUID.	T7, T30	150	203	242	60 L	220 L	1,3	1,3	
SON, LAMMABLE OLID.		None	340	None	Forbidden	50 kg	1	5	24, 40, 95
SON GAS	10	None	340	None	Forbidden	Forbidden	1	5	40, 95
SON		None	202	None	Forbidden	5 L	1	5	40, 95
SON		None	212	None	Forbidden	25 kg	1	5	95
SON GAS	B14, B31, 10.	None	302	244	Forbidden	Forbidden	1	5	40, 85, 95
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	T1	150	203	242	60 L	220 L	1,3	1,3	
P AWAY ROM FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
SON	N36	None	202	243	5 L	60 L	1,2	1,2	40, 95
P AWAY ROM FOOD.	N36	153	203	241	60 L	220 L	1,2	1,2	34, 40
SON GAS	10	None	334	245	Forbidden	Forbidden	1	5	40, 85, 95
SON GAS	B14, B40, 10.	None	334	244	Forbidden	Forbidden	1	5	40
SON	49	None	211	242	5 kg	50 kg	1	5	95
SON	49	None	212	242	25 kg	100 kg	1	5	95
P AWAY ROM FOOD.	49	153	213	240	100 kg	200 kg	1	5	34
SON	N76	None	201	243	1 L	30 L	1	5	40, 95
SON	N76	None	202	243	5 L	60 L	1	5	40, 95
P AWAY ROM FOOD.	N76	None	203	241	60 L	220 L	1	5	34, 40
ROSIVE	T2	154	203	241	5 L	60 L	1,2	1,2	8
SON	B14, B32	None	201	None	Forbidden	Forbidden	1	5	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Tetraethyl pyrophosphate and compressed gas mixtures *LC50 less than or equal to 200 ppm.*	2.3	UN1705	II	POISON GAS
	Tetraethyl pyrophosphate and compressed gas mixtures) *LC50 over 200 ppm up to 5000 ppm.*	2.3	UN1705	II	POISON GAS
D	Tetraethyl pyrophosphate, (*liquid*)	6.1	NA2783	I	POISON
D	Tetraethyl pyrophosphate (*solid*)	6.1	NA2783	I	POISON
	Tetraethyl silicate	3	UN1292	III	FLAMMABLE LIQUID.
	Tetrafluoroethylene, inhibited	2.1	UN1081		FLAMMABLE GAS.
	Tetrafluoromethane	2.2	UN1982		NONFLAMMABLE GAS.
	1,2,3,6-Tetrahydrobenzaldehyde	3	UN2498	III	FLAMMABLE LIQUID.
	Tetrahydrofuran	3	UN2056	II	FLAMMABLE LIQUID.
	Tetrahydrofurfurylamine	3	UN2943	III	FLAMMABLE LIQUID.
	Tetrahydronaphthyl hydroperoxide *or* Tetralin hydroperoxide, *pure.*	5.2	UN2136	I	ORGANIC PEROXIDE.
	Tetrahydrophthalic anhydrides *with more than 0.05 percent of maleic anhydride.*	8	UN2698	III	CORROSIVE
	1,2,3,6-Tetrahydropyridine	3	UN2410	II	FLAMMABLE LIQUID.
	Tetrahydrothiophene	3	UN2412	II	FLAMMABLE LIQUID.
	Tetralin hydroperoxide, *see* Tetrahydronaphthyl hydroperoxide.				
	Tetramethylammonium hydroxide	8	UN1835	II	CORROSIVE
	1,1,3,3-Tetramethylbutyl hydroperoxide, *technically pure.*	5.2	UN2160	II	ORGANIC PEROXIDE.
	1,1,3,3-Tetramethylbutyl peroxy-2-ethylhexanoate, *technically pure.*	5.2	UN2161	I	ORGANIC PEROXIDE.
	Tetramethylene diperoxide dicarbamide	Forbidden			
	Tetramethylsilane	3	UN2749	I	FLAMMABLE LIQUID.
	Tetranitroaniline	1.1D	UN0207		
	Tetranitro diglycerin	Forbidden			
	Tetranitromethane	5.1	UN1510	I	OXIDIZER, POISON.
	2,3,4,6-Tetranitrophenol	Forbidden			
	2,3,4,6-Tetranitrophenyl methyl nitramine	Forbidden			
	2,3,4,6-Tetranitrophenylnitramine	Forbidden			

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
SON GAS	10	None	334	245	Forbidden	Forbidden	1	5	40, 85, 95
SON GAS	B14, B40, 10.	None	334	244	Forbidden	Forbidden	1	5	40
SON		None	201	243	Forbidden	1 L	1,3	5	
SON	N77	None	211	242	Forbidden	50 kg	1,3	5	
MMABLE QUID.	T1	150	203	241	60 L	220 L	1,3	1	
MMABLE AS.	B13	306	304	244	Forbidden	150 kg	1,3	5	40, 85
FLAMMA-E GAS.	B13	None	302	244	75 kg	150 kg	1,3	1,3	85
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MMABLE QUID.	T8	None	202	242	5 L	60 L	1,3	5	12
MMABLE QUID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
ANIC ROXIDE.		None	225	None	1 kg	5 kg	1	5	12, 40
ROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	
MMABLE QUID.	T7	150	202	242	5 L	60 L	1,3	1	40
MMABLE QUID.	T7	150	202	242	5 L	60 L	1,3	1	
ROSIVE	B2, T8	154	202	242	1 L	30 L	1,2	1,2	
ANIC ROXIDE.		152	225	None	5 L	10 L	1	5	12, 40
ANIC ROXIDE.		None	225	None	Forbidden	Forbidden	1	5	20, 40
MMABLE QUID.	T21, T26	None	201	243	Forbidden	30 L	1	5	12, 25
IZER, ISON.	10	None	227	None	Forbidden	Forbidden	1	5	40, 66, 92, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Tetranitroresorcinol (dry)	Forbidden			
	2,3,5,6-Tetranitroso-1,4-dinitrobenzene	Forbidden			
	2,3,5,6-Tetranitroso nitrobenzene (dry)	Forbidden			
	Tetrapropylorthotitanate	3	UN2413	II	FLAMMABLE LIQUID.
	Tetrazene, *see* Guanyl nitrosaminoguanyltetrazene.				
	Tetrazine (dry)	Forbidden			
	Tetrazol-1-acetic acid	1.4C	UN0407		
	Tetrazolyl azide (dry)	Forbidden			
	Tetryl, *see* Trinitrophenylmethyl nitramine				
	Thallium chlorate	5.1	UN2573	II	OXIDIZER, POISON.
	Thallium compounds, n.o.s.	6.1	UN1707	II	POISON
				III	KEEP AWAY FROM FOOD
	Thallium nitrate	6.1	UN2727	II	POISON, OXIDIZER.
D	Thallium sulfate, solid	6.1	NA1707	I	POISON
	Thia-4-pentanal	6.1	UN2785	III	KEEP AWAY FROM FOOD
	Thioacetic acid	3	UN2436	II	FLAMMABLE LIQUID.
	Thiocarbonylchloride, see Thiophosgene				
	Thioglycol	6.1	UN2966	II	POISON
	Thioglycolic acid	8	UN1940	II	CORROSIVE
	Thiolactic acid	6.1	UN2936	II	POISON
	Thionyl chloride	8	UN1836	I	CORROSIVE, POISON.
	Thiophene	3	UN2414	II	FLAMMABLE LIQUID.
	Thiophosgene	6.1	UN2474	I	POISON

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
AMMABLE IQUID.	T8	150	202	242	5 L	60 L	1,3	1,3	
DIZER, OISON.		None	212	242	5 kg	25 kg	1,2	1,2	46, 56, 95
SON		None	212	242	25 kg	100 kg	1,2	1,2	95
EP AWAY ROM FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34
SON, XIDIZER.		None	212	242	5 kg	25 kg	1,2	1,2	89, 95
SON		None	211	242	5 kg	50 kg	1,2	1,2	
EP AWAY ROM FOOD.	12	153	203	241	60 L	220 L	1, 2	1	34, 40
AMMABLE IQUID.	T8	150	202	242	5 L	60 L	1,3	1	
SON	T8	None	202	243	5 L	60 L	1,2	1,2	95
RROSIVE	B2, N26, N34.	154	202	242	1 L	30 L	1,2	1,2	9
SON	T8	None	212	242	25 kg	100 kg	1,2	1,2	95
RROSIVE, OISON.	10, B14, B32, N1, N11, N34, N35.	None	227	244	Forbidden	Forbidden	1	5	8, 40, 95
AMMABLE IQUID.	T1	150	202	242	5 L	60 L	1,3	1	
SON	B14, B32, N26, N33, N34, 10.	None	227	244	Forbidden	Forbidden	1,2	1	26, 40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Thiophosphoryl chloride	8	UN1837	II	CORROSIVE.
	Thorium metal, pyrophoric	7	UN2975		RADIOACTIVE SPONTANEOUSLY COMBUSTIBLE.
	Thorium nitrate, solid	7	UN2976		RADIOACTIVE OXIDIZER.
	Tin chloride, fuming, see Stannic chloride, anhydrous.				
	Tinctures, medicinal	3	UN1293	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Tinning flux, see Zinc chloride				
	Tin perchloride or Tin tetrachloride, see Stannic chloride, anhydrous.				
	Titanium hydride	4.1	UN1871	II	FLAMMABLE SOLID.
	Titanium powder, dry (*a*) *mechanically produced, particle size between 3 and 53 microns;* (*b*) *chemically produced, particle size between 10 and 840 microns.*	4.2	UN2546	II	SPONTANEOUSLY COMBUSTIBLE.
	Titanium powder, wetted *with not less than 25 per cent water* (*a visible excess of water must be present*) (*a*) *mechanically produced, particle size less than 53 microns;* (*b*) *chemically produced, particle size less than 840 microns.*	4.1	UN1352	II	FLAMMABLE SOLID.
	Titanium sponge granules *or* Titanium sponge powders.	4.1	UN2878	III	FLAMMABLE SOLID.
D	Titanium sulfate solution	8	NA1760	II	CORROSIVE.
	Titanium tetrachloride	8	UN1838	I	CORROSIVE, POISON.
	Titanium trichloride mixtures	8	UN2869	II	CORROSIVE.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
RROSIVE.....	B2, B8, B25, N1, N26, N34, T12.	None	202	242	Forbidden	30 L.....	1.....	1.....	80, 40
DIOACTIVE, SPONTANEOUSLY COMBUSTIBLE.	.....	None	418	None	Forbidden	Forbidden	1,2.....	1,2.....	
DIOACTIVE, OXIDIZER.	.....	None	419	None	Forbidden	15 kg.....	1,2.....	1,2.....	
AMMABLE LIQUID.	T8, T31	150	202	242	5 L.....	60 L.....	1,3.....	1.....	
AMMABLE LIQUID.	B1, T7, T30.	150	203	241	60 L.....	220 L.....	1,3.....	1,3.....	
AMMABLE SOLID.	A19, A20, N34.	None	212	241	15 kg.....	50 kg.....	1,3.....	5.....	
ONTANEOUSLY COMBUSTIBLE.	A19, A20, N5, N34.	None	212	241	15 kg.....	50 kg.....	1.....	5.....	
AMMABLE SOLID.	A19, A20, B10, N34.	None	212	240	15 kg.....	50 kg.....	1,3.....	5.....	
AMMABLE SOLID.	A1	None	213	240	25 kg.....	100 kg.....	1.....	5.....	
RROSIVE.....	B2, B15.....	None	213	242	1 L.....	30 L.....	1,2.....	1,2.....	
RROSIVE, POISON.	10, B7, B14, B32, B41, N1, N11, N34, N41.	None	227	244	Forbidden	Forbidden	1.....	1.....	8, 40
RROSIVE.....	N26, N34 ..	154	212	240	15 kg.....	50 kg.....	1,2.....	1,2.....	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	S pr
(1)	(2)	(3)	(4)	(5)	(6)	
	Titanium trichloride, pyrophoric *or* Titanium trichloride mixtures, pyrophoric.	4.2	UN2441	II	SPONTANEOUSLY COMBUSTIBLE, CORROSIVE.	A1
	TNT, *see* Trinitrotoluene, *etc.*					
	TNT mixed with aluminum, see *Tritonal*					
	Toe puffs, *nitrocellulose base*	4.1	UN1353	III	FLAMMABLE SOLID.	A1
	Toluene	3	UN1294	II	FLAMMABLE LIQUID.	T1
	Toluene diisocyanate	6.1	UN2078	II	POISON	T1
	Toluene sulfonic acid, *see* Alkyl, Aryl *or* Toluene sulfonic acid *etc.*.					
	Toluidines, *liquid*	6.1	UN1708	II	POISON	T1
	Toluidines, *solid*	6.1	UN1708	II	POISON	
	2,4-Toluylenediamine	6.1	UN1709	III	KEEP AWAY FROM FOOD.	T7
	Torpedoes, liquid fuelled, *with inert head*	1.3J	UN0450			
	Torpedoes, liquid fuelled, *with or without bursting charge.*	1.1J	UN0449			
	Torpedoes *with bursting charge*	1.1E	UN0329			
	Torpedoes *with bursting charge*	1.1F	UN0330			
	Torpedoes *with bursting charge*	1.1D	UN0451			
	Tracers for ammunition	1.3G	UN0212			
	Tracers for ammunition	1.4G	UN0306			
	Tractors, see Vehicles, self propelled					
	Triallylamine	3	UN2610	III	FLAMMABLE LIQUID.	T1
	Triallyl borate	6.1	UN2609	III	KEEP AWAY FROM FOOD.	
	Triazine pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23deg C.*	3	UN2764	I	FLAMMABLE LIQUID, POISON.	
				II	FLAMMABLE LIQUID, POISON.	
	Triazine pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23deg C.*	6.1	UN2997	I	POISON, FLAMMABLE LIQUID.	T4
				II	POISON, FLAMMABLE LIQUID.	T1
				III	KEEP AWAY FROM FOOD.	T1
	Triazine pesticides, liquid, toxic, n.o.s.	6.1	UN2998	I	POISON	T4
				II	POISON	T1

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
E-STI-SIVE.	A19, A20, N2, N26, N34.	None	212	244	15 kg	50 kg	1,3	1,3	
LE	A1	None	213	240	25 kg	100 kg	1	5	
LE	T1	150	202	242	5 L	60 L	1,3	1	
	T14	None	202	243	5 L	60 L	1,2	1	22, 25, 40, 95
	T14	None	202	243	5 L	60 L	1,2	1,2	26, 95
		None	212	241	25 kg	100 kg	1,2	1,2	95
AY OOD.	T7	153	213	240	100 kg	200 kg	1,2	1,2	34
LE	T1	150	203	242	60 L	220 L	1,3	1	40
AY OOD.		153	203	241	60 L	220 L	1,3	1,3	12, 13, 22, 25, 34
LE		None	201	243	Forbidden	30 L	1,3	5	
LE		None	202	243	1 L	60 L	1,3	1	
ABLE	T42	None	201	243	1 L	30 L	1	1	21, 40, 95
ABLE	T14	None	202	243	5 L	60 L	1,2	1	21, 40, 95
AY OOD.	T14	153	203	242	60 L	220 L	1,2	1,2	21, 40, 34
	T42	None	201	243	1 L	30 L	1	1	40, 95
	T14	None	202	243	5 L	60 L	1,2	1	40, 95

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	
(1)	(2)	(3)	(4)	(5)	(6)	
	.....	.....	.....	III	KEEP AWAY FROM FOOD.	T
	Triazine pesticides, solid, toxic, n.o.s.....	6.1	UN2763	I	POISON.....	
	.....	.....	.....	II	POISON.....	
	.....	.....	.....	III	KEEP AWAY FROM FOOD.	
	Tri-(1-aziridinyl)phosphine oxide, solution	6.1	UN2501	II	POISON.....	T
	Tributylamine.....	8	UN2542	III	CORROSIVE.....	T
	Trichloroacetic acid.....	8	UN1839	II	CORROSIVE.....	N
	Trichloroacetic acid, solution	8	UN2564	II	CORROSIVE.....	E
	Trichloroacetyl chloride	8	UN2442	II	CORROSIVE.....	E
	Trichlorobenzenes, liquid.....	6.1	UN2321	III	KEEP AWAY FROM FOOD.	T
	Trichlorobutene.....	6.1	UN2322	II	POISON.....	T
	1,1,1-Trichloroethane.....	6.1	UN2831	III	KEEP AWAY FROM FOOD.	N
	Trichloroethylene.....	6.1	UN1710	III	KEEP AWAY FROM FOOD.	N
	Trichloroisocyanuric acid, dry	5.1	UN2468	II	OXIDIZER	E
	Trichloromethyl perchlorate	Forbidden	.....			
	Trichlorosilane	4.3	UN1295	I	DANGEROUS WHEN WET, FLAMMABLE LIQUID, CORROSIVE.	N
D	(mono-(Trichloro) tetra-(monopotassium dichloro)-penta-s-triazinetrione, dry (*containing over 39% available chlorine*).	5.1	NA2468	II	OXIDIZER	E
	Trichloro-s-triazinetrione dry, containing over 39% available chlorine, see Trichloroisocyanuric acid, dry.	.....	.....			
	Tricresyl phosphate *with more than 3 per cent ortho isomer.*	6.1	UN2574	II	POISON.....	N
	Triethylamine.....	3	UN1296	II	FLAMMABLE LIQUID.	T

els	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
WAY FOOD.	T14	153	203	241	60 L	220 L	1,2	1,2	34, 40
		None	211	242	5 kg	50 kg	1,2	1,2	40, 95
		None	212	242	25 kg	100 kg	1,2	1,2	40, 95
WAY FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	34, 40
	T8	None	202	243	5 L	60 L	1,2	1,2	95
SIVE	T1	None	203	241	5 L	60 L	1,2	1,2	
SIVE	N26, N34	154	212	240	15 kg	50 kg	1,2	1,2	
SIVE	B2, N1, N11, N26, N34, T8.	154	202	242	1 L	30 L	1,2	1	8
SIVE	B2, N1, N16, N17, N26, N34, T9, T26.	None	202	242	Forbidden	Forbidden	1	5	40
WAY FOOD.	T7	153	203	241	60 L	220 L	1,2	1,2	34
	T8	None	202	243	5 L	60 L	1,2	1,2	25, 40, 95
WAY FOOD.	N36, T7	153	203	241	60 L	220 L	1,2	1,2	34, 40
WAY FOOD.	N36, T1	153	203	241	60 L	220 L	1,2	1,2	34, 40
R	B10	152	212	240	5 kg	25 kg	1,2	1,2	13, 25, 72
IOUS WET, MABLE), OSIVE.	N16, N26, N34, T24, T26.	None	201	244	Forbidden	Forbidden	1	5	40
R	B10	152	212	240	5 kg	25 kg	1,3	1,3	
	N1, N16, N33, N34, T8.	None	202	243	5 L	60 L	1,2	1,2	95
BLE).	T8	150	202	242	5 L	60 L	1,3	1	40

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	P
(1)	(2)	(3)	(4)	(5)	(6)	
	Triethylene tetramine	8	UN2259	II	CORROSIVE	B2
	Triethyl phosphite	3	UN2323	III	FLAMMABLE LIQUID.	B1
	Trifluoroacetic acid	8	UN2699	I	CORROSIVE	B4
	Trifluoroacetylchloride	2.3	UN3057	II	POISON GAS	10
	Trifluorochloroethylene, inhibited	2.1	UN1082		FLAMMABLE GAS.	
	Trifluoroethane, compressed	2.1	UN2035		FLAMMABLE GAS.	B1
	Trifluoromethane	2.2	UN1984		NONFLAMMABLE GAS.	
D	Trifluoromethane and chlorotrifluoromethane mixture (*constant boiling mixture*) (*R-503*). *See* Refrigerant gas, n.o.s..					
	3-Trifluoromethylaniline	6.1	UN2948	II	POISON	T1
	2-Trifluoromethylaniline	6.1	UN2942	III	KEEP AWAY FROM FOOD.	
	Triformoxime trinitrate	Forbidden				
	Triisobutylene	3	UN2324	II	FLAMMABLE LIQUID.	T7
				III	FLAMMABLE LIQUID.	B1
	Triisocyanatoisocyanurate of isophoronediisocyanate, solution, *70 per cent, by weight.*	3	UN2906	III	FLAMMABLE LIQUID.	B1
	Triisopropyl borate	3	UN2616	II	FLAMMABLE LIQUID.	T8
				III	FLAMMABLE LIQUID.	B1
D	Trimethoxysilane	6.1	NA1992	I	POISON, FLAMMABLE LIQUID.	B3
	Trimethyl acetyl chloride	8	UN2438	II	CORROSIVE, FLAMMABLE LIQUID.	B2
	Trimethylamine, anhydrous	2.1	UN1083		FLAMMABLE GAS.	

	Special provisions	(8) Packaging authorizations (§179.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
/E	B2, T8	154	202	242	1 L	30 L	1,2	1	26, 40, 71
LE	B1, T1	150	203	242	60 L	220 L	1,3	1,3	52
/E	B4, N1, N3, N11, N26, N34, T18, T27.	None	201	242	0.5 L	2.5 L	1,3	1	12, 38, 40
AS	10, B13, B33.	None	304	244	Forbidden	Forbidden	1,3	1,3	40, 85
LE			306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
LE	B13		306	304	244	Forbidden	150 kg	1,3	1	40, 85
MA-S.			306	304	314, 315	75 kg	150 kg	1,3	1,3	85
	T14	None	202	243	5 L	60 L	1,2	1,2	40, 95
AY FOOD.		153	203	241	60 L	220 L	1,2	1,2	34
LE	T7, T30	150	203	242	5 L	60 L	1,3	1	
LE	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	
LE	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
LE	T8, T31	150	202	242	5 L	60 L	1,3	1	
LE	B1, T8, T31.	150	202	242	60 L	220 L	1,3	1,3	
ABLE	B3, B14, B32.	None	201	244	Forbidden	Forbidden	1,3	5	12
VE, ABLE	B2, B6, N1, N11, N26, N34, T8, T26.	None	202	243	1 L	30 L	1	5	21, 25, 40
LE			306	304	314, 315	Forbidden	150 kg	1	5	40, 85

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	
(1)	(2)	(3)	(4)	(5)	(6)	
	Trimethylamine, aqueous solutions *not more than 50 per cent trimethylamine by weight.*	3	UN1297	II	FLAMMABLE LIQUID.	T
	.....	.....	.....	III	FLAMMABLE LIQUID.	E
	1,3,5-Trimethylbenzene (mesitylene)	3	UN2325	III	FLAMMABLE LIQUID, POISON.	E
	Trimethyl borate	3	UN2416	II	FLAMMABLE LIQUID.	T
	Trimethylchlorosilane	3	UN1298	I	FLAMMABLE LIQUID, POISON, CORROSIVE.	E
	Trimethylcyclohexylamine	8	UN2326	III	CORROSIVE.....	T
	Trimethylene glycol diperchlorate	Forbidden	.....			
	Trimethylhexamethylenediamines	8	UN2327	III	CORROSIVE.....	T
	Trimethylhexamethylenediisocyanate	6.1	UN2328	III	KEEP AWAY FROM FOOD.	T
	Trimethylol nitromethane trinitrate	Forbidden	.....			
	2,4,4-Trimethylpentyl-2-peroxy phenoxy acetate, *not more than 37 per cent in solution.*	5.2	UN2961	II	ORGANIC PEROXIDE.	...
	Trimethyl phosphite.....	3	UN2329	III	FLAMMABLE LIQUID.	T
	1,3,5-Trimethyl-2,4,6-trinitrobenzene.....	Forbidden	.....			
	Trinitroacetic acid	Forbidden	.....			
	Trinitroacetonitrile.....	Forbidden	.....			
	Trinitroamine cobalt	Forbidden	.....			
	Trinitroaniline	1.1D	UN0153			
	Trinitroanisole	1.1D	UN0213			
	Trinitrobenzene, *dry or wetted with less than 30 per cent water, by weight.*	1.1D	UN0214			
	Trinitrobenzenesulfonic acid	1.1L	UN0386			
	Trinitrobenzene, wetted *with not less than 30 per cent water, by weight.*	4.1	UN1354	I	FLAMMABLE SOLID.	A
	Trinitrobenzoic acid, *dry or wetted with less than 30 per cent water, by weight.*	1.1D	UN0215			

els	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ABLE D.	T42	150	202	242	5 L	60 L	1,3	1	40, 41
ABLE D.	B1, T14	150	203	242	60 L	220 L	1,3	1,3	40, 41
ABLE D, N.	B14	None	201	243	60 L	220 L	1,3	1,3	
ABLE D.	T14	150	202	242	5 L	60 L	1,3	1	
ABLE D, N, OSIVE.	B14, B30, N1, N26, N34, 10.	None	226	244	Forbidden	Forbidden	1,3	5	
SIVE	T2	154	203	241	5 L	60 L	1,2	1,2	8
SIVE	T7	154	203	241	5 L	60 L	1,2	1,2	8
VAY FOOD.	T8	153	203	241	60 L	220 L	1,2	1	34
C XIDE.		None	225	None	Forbidden	Forbidden	1	5	20, 40
ABLE D.	T1	150	203	242	60 L	220 L	1,3	1,3	
ABLE	A2, A19, N2, N34, N41.	None	211	None	0.5 kg	0.5 kg	1	5	36

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels	
(1)	(2)	(3)	(4)	(5)	(6)	
	Trinitrobenzoic acid, wetted *with not less than 30 per cent water, by weight.*	4.1	UN1355	I	FLAMMABLE SOLID.	A
	Trinitrochlorobenzene	1.1D	UN0155			
	Trinitro-m-cresol	1.1D	UN0216			
	2,4,6-Trinitro-1,3-diazobenzene	Forbidden				
	Trinitroethanol	Forbidden				
	Trinitroethylnitrate	Forbidden				
	Trinitrofluorenone	1.1D	UN0387			
	Trinitromethane	Forbidden				
	1,3,5-Trinitronaphthalene	Forbidden				
	Trinitronaphthalene	1.1D	UN0217			
	Trinitrophenetole	1.1D	UN0218			
	Trinitrophenol (Picric acid), *dry or wetted with less than 30 per cent water, by weight.*	1.1D	UN0154			
	Trinitrophenol, wetted *with not less than 30 per cent water, by weight.*	4.1	UN1344	I	FLAMMABLE SOLID.	A
	2,4,6-Trinitrophenyl guanidine (dry)	Forbidden				
	Trinitrophenylmethylnitramine (Tetryl)	1.1D	UN0208			
	2,4,6-Trinitrophenyl nitramine	Forbidden				
	2,4,6-Trinitrophenyl trimethylol methyl nitramine trinitrate (dry).	Forbidden				
	Trinitroresorcinol (Styphnic acid), *dry or wetted with less than 20 per cent water, by weight, or mixture of alcohol and water.*	1.1D	UN0219			
	Trinitroresorcinol (Styphnic acid), wetted *with not less than 20 per cent water, by weight, or mixture of alcohol and water.*	1.1D	UN0394			
	2,4,6-Trinitroso-3-methyl nitraminoanisole	Forbidden				
	Trinitrotetramine cobalt nitrate	Forbidden				
	Trinitrotoluene (TNT) and Trinitrobenzene mixtures *or* Trinitrotoluene (TNT) and Hexanitrostilbene mixtures.	1.1D	UN0388			
	Trinitrotoluene (TNT), *dry or wetted with less than 30 per cent water, by weight.*	1.1D	UN0209			
	Trinitrotoluene (TNT) mixtures containing Trinitrobenzene and Hexanitrostilbene.	1.1D	UN0389			

	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
BLE	A2, A19, N2, N34, N41.	None	211	None	0.5 kg	0.5 kg	1,3	5	36
BLE	A19, N2, N34, N41.	None	211	None	1 kg	15 kg	1	5	36

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Trinitrotoluene (TNT), wetted *with not less than 30 per cent water, by weight.*	4.1	UN1356	I	FLAMMABLE SOLID.
	2,4,6-Trinitro-1,3,5-triazido benzene (dry)	Forbidden			
	Tri-(b-nitroxyethyl) ammonium nitrate	Forbidden			
	Tripropylamine	3	UN2260	II	FLAMMABLE LIQUID, CORROSIVE.
	Tripropylene	3	UN2057	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Tris, bis-difluoroamino diethoxy propane (TVOPA).	Forbidden			
	Tritonal	1.1D	UN0390		
	Tungsten hexafluoride	2.3	UN2196	I	POISON GAS
	Turpentine	3	UN1299	III	FLAMMABLE LIQUID.
I	Turpentine substitute	3	UN1300	II	FLAMMABLE LIQUID.
				III	FLAMMABLE LIQUID.
	Undecane	3	UN2330	III	FLAMMABLE LIQUID.
	Uranium hexafluoride, fissile (*containing more than 1% U-235*).	7	UN2977		RADIOACTIVE, CORROSIVE.
	Uranium hexafluoride, *fissile excepted or non-fissile.*	7	UN2978		RADIOACTIVE, CORROSIVE.
	Uranium metal, pyrophoric	7	UN2979		RADIOACTIVE, SPONTANEOUSLY COMBUSTIBLE.
	Uranyl nitrate hexahydrate solution	7	UN2980		RADIOACTIVE, CORROSIVE.
	Uranyl nitrate, solid	7	UN2981		RADIOACTIVE, OXIDIZER.
	Urea hydrogen peroxide	5.1	UN1511	III	OXIDIZER
	Urea nitrate, *dry or wetted with less than 20 per cent water, by weight.*	1.1D	UN0220		
	Urea nitrate, wetted *with not less than 20 per cent water, by weight.*	4.1	UN1357	I	FLAMMABLE SOLID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MABLE ID.	A2, A19, N2, N34, N41.	None	211	None	0.5 kg	0.5 kg	1,3	5	36
MABLE JID, RROSIVE.	T8	None	202	243	1 L	5 L	1,3	1	40
MABLE JID.		150	202	242	5 L	60 L	1,3	1	
MABLE JID.		150	203	242	60 L	220 L	1,3	1,3	
N GAS	B14, B31, 10.	None	338	244	Forbidden	Forbidden	1	5	40, 85, 95
MABLE JID.	B1	150	203	242	60 L	220 L	1,3	1,3	
MABLE JID.	T1	150	202	242	5 L	60 L	1,3	1	
MABLE JID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE JID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
ACTIVE, RROSIVE.		453	417	None			1,2	1,2	
ACTIVE, RROSIVE.		421	425	425					
ACTIVE, NTANE-LY MBUSTI-		None	418	None			1,2	1,2	
ACTIVE, RROSIVE.		421, 425	415, 416, 417	None			1,2	1,2	
ACTIVE, DIZER.		None	419	None	Forbidden	15 kg	1,2	1,2	
ZER	A1, A29, N26.	152	213	240	25 kg	100 kg	1,2	1,2	13, 25
MABLE ID.	A19, N2, N34, N41.	None	211	None	1 kg	15 kg	1,3	1,3	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Urea peroxide, see Urea hydrogen peroxide.				
	Valeraldehyde	3	UN2058	II	FLAMMABLE LIQUID.
	Valeric acid, see Corrosive liquids, n.o.s.				
	Valeryl chloride	8	UN2502	II	CORROSIVE.
	Vanadium oxytrichloride	8	UN2443	II	CORROSIVE.
	Vanadium pentoxide, *nonfused form*	6.1	UN2862	II	POISON.
	Vanadium tetrachloride	8	UN2444	I	CORROSIVE.
AW	Vanadium trichloride	8	UN2475	III	CORROSIVE.
	Vanadium trioxide, *nonfused form*	6.1	UN2860	II	POISON.
	Vanadyl sulfate	6.1	UN2931	II	POISON.
	Vehicles, self-propelled *including internal combustion engines or other apparatus containing an internal combustion engine or electric storage battery(see also* Wheel chair, electric).	9	None	III	CLASS 9
	Very signal cartridge, see Cartridges, signal.				
	Vinyl acetate, inhibited	3	UN1301	II	FLAMMABLE LIQUID.
	Vinyl bromide, inhibited	2.1	UN1085		FLAMMABLE GAS.
	Vinyl butyrate, inhibited	3	UN2838	II	FLAMMABLE LIQUID.
	Vinyl chloride, inhibited	2.1	UN1086		FLAMMABLE GAS.
	Vinyl chloroacetate	6.1	UN2589	II	POISON.
	Vinyl ethyl ether, inhibited	3	UN1302	I	FLAMMABLE LIQUID.
	Vinyl fluoride, inhibited	2.1	UN1860		FLAMMABLE GAS.
	Vinylidene chloride, inhibited	3	UN1303	I	FLAMMABLE LIQUID.
	Vinyl isobutyl ether, inhibited	3	UN1304	II	FLAMMABLE LIQUID.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MABLE UID.	T1	150	202	242	5 L	60 L	1,3	1	
ROSIVE	B2, N1, N11, N26, N34, T8.	154	202	242	1 L	30 L	1	1	40
ROSIVE	B2, B16, N1, N11, N16, N26, N34, T8, T26.	154	202	242	Forbidden	30 L	1	1	8, 40
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
ROSIVE	B4, N1, N11, N26, N34, T8, T26.	None	201	242	Forbidden	2.5 L	1	1	80, 40
ROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	40
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
ON		None	212	242	25 kg	100 kg	1,2	1,2	95
S 9		220	220	None	No limit	No limit	1,2	1,2	
MABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	
MABLE S.	B13	306	304	244	Forbidden	150 kg	1,3	1	40, 85
MABLE UID.	T7	150	202	242	5 L	60 L	1,3	1	
MABLE S.	B44	306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
ON	T14	None	202	243	5 L	60 L	1,2	1,2	21, 95
MABLE UID.	N1, N15, T14.	None	201	243	1 L	30 L	1,3	5	12
MABLE S.	B43	306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
MABLE UID.	T23, T29	150	201	243	1 L	30 L	1,3	5	12
MABLE UID.	T8	150	202	242	5 L	60 L	1,3	1	

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Vinyl methyl ether, inhibited	2.1	UN1087	.....	FLAMMABLE GAS.
	Vinyl nitrate polymer	Forbidden	.....	.....	
	Vinyl pyridenes, inhibited	6.1	UN3073	II	POISON, FLAMMABLE LIQUID.
	.....	.....	.....	III	KEEP AWAY FROM FOOD.
	Vinyl toluene, inhibited *mixed isomers*	3	UN2618	III	FLAMMABLE LIQUID.
	Vinyltrichlorosilane	3	UN1305	I	FLAMMABLE LIQUID, CORROSIVE.
	Warheads, rocket *with burster or expelling charge.*	1.4D	UN0370		
	Warheads, rocket *with burster or expelling charge.*	1.4F	UN0371		
	Warheads, rocket *with bursting charge*	1.1D	UN0286		
	Warheads, rocket *with bursting charge*	1.2D	UN0287		
	Warheads, rocket *with bursting charge*	1.1F	UN0369		
	Warheads, torpedo *with bursting charge*	1.1D	UN0221		
	Water reactive substances, n.o.s., see Substances which in contact with water, *etc.*	.....	.....		
A	Wheel chair, electric (*spillable or non-spillable type batteries*).	9	None	III	CLASS 9
	White acid, see Hydrofluoric acid mixtures	.....	.....		
	Wood preservatives, liquid	3	UN1306	II	FLAMMABLE LIQUID.
	.....	.....	.....	III	FLAMMABLE LIQUID.
	Xenon	2.2	UN2036	.....	NONFLAMMABLE GAS.
	Xenon, refrigerated liquid	2.2	UN2591	.....	NONFLAMMABLE GAS.
	Xylenes	3	UN1307	II	FLAMMABLE LIQUID.
	.....	.....	.....	III	FLAMMABLE LIQUID.
	Xylenols	6.1	UN2261	II	POISON
	Xylidines	6.1	UN1711	II	POISON
	Xylyl bromide	6.1	UN1701	I	POISON

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abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MABLE	B44	306	304	314, 315	Forbidden	150 kg	1,3	1	40, 85
N, MMABLE ID.	T8	None	212	243	5 L	60 L	1,3	1,3	
AWAY M FOOD.	T8	153	213	241	60 L	220 L	1,3	1,3	
MABLE ID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
MABLE ID, ROSIVE.	B6, N1, N26, N34, T14, T26.	None	201	243	Forbidden	2.5 L	1,3	1	40
9		222	222	None	No limit	No limit	1,2	1,2	
MABLE ID.	T7, T30	150	202	242	5 L	60 L	1,3	1	40
MABLE ID.	B1, T7, T30.	150	203	242	60 L	220 L	1,3	1,3	40
LAMMA-GAS.	B13	306	302	244	75 kg	150 kg	1,3	1,3	85
LAMMA-GAS.		320	316	318	50 kg	500 kg	1,3	1	85
MABLE ID.	T1	150	202	242	5 L	60 L	1,3	1	
MABLE ID.	B1, T1	150	203	242	60 L	220 L	1,3	1,3	
N	T8	None	212	243	25 kg	100 kg	1,2	1,2	40, 95
N	T14	None	202	243	5 L	60 L	1,2	1,2	26, 95
N	B14, B30, N1, N11, N26, N33, 10.	None	226	244	Forbidden	Forbidden	1	5	40, 95

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Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	p-Xylyl diazide	Forbidden			
	Zinc ammonium nitrite	5.1	UN1512	II	OXIDIZER
	Zinc arsenate *or* Zinc arsenite *or* Zinc arsenate and Zinc arsenite mixtures..	6.1	UN1712	II	POISON
	Zinc ashes	4.3	UN1435	III	DANGEROUS WHEN WET.
	Zinc bisulfite solution *see* Bisulfites, inorganic aqueous solutions, n.o.s..				
	Zinc bromate	5.1	UN2469	III	OXIDIZER
	Zinc chlorate	5.1	UN1513	II	OXIDIZER
	Zinc chloride, anhydrous	8	UN2331	III	CORROSIVE
	Zinc chloride, solution	8	UN1840	III	CORROSIVE
	Zinc cyanide	6.1	UN1713	I	POISON
	Zinc dithionite *or* Zinc hydrosulfite	9	UN1931	III	CLASS 9
	Zinc ethyl, see Diethylzinc				
	Zinc fluorosilicate	6.1	UN2855	III	KEEP AWAY FROM FOOD.
	Zinc hydrosulfite, *see* Zinc dithionite				
	Zinc muriate solution, see Zinc chloride, solution.				
	Zinc nitrate	5.1	UN1514	II	OXIDIZER
	Zinc permanganate	5.1	UN1515	II	OXIDIZER
	Zinc peroxide	5.1	UN1516	II	OXIDIZER
	Zinc phosphide	4.3	UN1714	I	DANGEROUS WHEN WET, POISON.
	Zinc powder *or* Zinc dust	4.3	UN1436	II	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE.
	Zinc resinate	4.1	UN2714	III	FLAMMABLE SOLID.
	Zinc selenate, *see* Selenates *or* Selenites				
	Zinc selenite, *see* Selenates *or* Selenites				
	Zinc silicofluoride, see Zinc fluorosilicate				
	Zirconium, dry, *coiled wire, finished metal sheets, strip (thinner than 254 microns but not thinner than 18 microns).*	4.1	UN2858	III	FLAMMABLE SOLID.
	Zirconium, dry, *finished sheets, strip or coiled wire.*	4.2	UN2009	III	SPONTANEOUSLY COMBUSTIBLE.
	Zirconium hydride	4.1	UN1437	II	FLAMMABLE SOLID.
	Zirconium nitrate	5.1	UN2728	III	OXIDIZER

abels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
ER	B10	None	212	240	5 kg	25 kg	1,3	5	
N		None	212	242	25 kg	100 kg	1,2	1,2	95
EROUS N WET.	A1, A19	None	213	241	25 kg	100 kg	1,3	1,3	
ER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	46, 56
ER	B10, N13, N34.	152	212	240	5 kg	25 kg	1,2	1,2	46, 56
OSIVE		None	213	240	25 kg	100 kg	1,2	1,2	
OSIVE	T7	154	203	241	5 L	60 L	1,2	1,2	
N		None	211	242	5 kg	50 kg	1,2	1,2	26, 95
9		155	204	240	100 kg	200 kg	1,2	1,2	13, 26
AWAY M FOOD.		153	213	240	100 kg	200 kg	1,2	1,2	26, 34
ER	B10	152	212	240	5 kg	25 kg	1,2	1,2	
ER	B10	152	212	240	5 kg	25 kg	1,2	1,2	56, 69
ER	B10	152	212	240	5 kg	25 kg	1,2	1,2	13
EROUS N WET, ON.	A19	None	211	None	Forbidden	15 kg	1,3	5	85
EROUS N WET, NTANE- LY IBUSTI-	A19	None	212	242	15 kg	50 kg	1,3	1,3	
MABLE ID.	A1	151	213	240	25 kg	100 kg	1,3	1,3	
MABLE ID.	A1	151	213	240	25 kg	100 kg	1,3	1,3	
TANE- LY MBUSTI-	A1, A19	None	213	240	25 kg	100 kg	1	5	
MABLE ID.	A19, A20, N34.	None	212	240	15 kg	50 kg	1,3	5	
ZER	A1, A29	152	213	240	25 kg	100 kg	1,2	1,2	25

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class	Identification numbers	Packing group	Labels
(1)	(2)	(3)	(4)	(5)	(6)
	Zirconium picramate, *dry or wetted with less than 20 per cent water, by weight.*	1.3C	UN0236		
	Zirconium picramate, wetted *with not less than 20 per cent water, by weight.*	4.1	UN1517	I	FLAMMABLE SOLID.
	Zirconium powder, dry (*a*) *mechanically produced, particle size between 3 and 53 microns;* (*b*) *chemically produced, particle size between 10 and 840 microns.*	4.2	UN2008	II	SPONTANEOUSLY COMBUSTIBLE.
	Zirconium powder, wetted *with not less than 25 per cent water* (*a visible excess of water must be present*) (*a*) *mechanically produced, particle size less than 53 microns;* (*b*) *chemically produced, particle size less than 840 microns.*	4.1	UN1358	II	FLAMMABLE SOLID.
	Zirconium scrap	4.2	UN1932	III	SPONTANEOUSLY COMBUSTIBLE.
D	Zirconium sulfate	8	NA9163	III	CORROSIVE.
	Zirconium suspended in a liquid	3	UN1308	II	FLAMMABLE LIQUID.
	Zirconium tetrachloride	8	UN2503	III	CORROSIVE.

Labels	Special provisions	(8) Packaging authorizations (§173.***)			(9) Quantity limitations		(10) Vessel stowage requirements		
		Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other stowage provisions
(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)	(10C)
MMABLE OLID.	N34, N41 ..	None	211	None	1 kg	15 kg	1	5	36
NTANE-USLY OMBUSTI-LE.	A19, A20, N5, N34.	None	212	241	15 kg	50 kg	1	5	
MMABLE OLID.	A19, A20, N34.	None	212	241	15 kg	50 kg	1,3	5	
NTANE-USLY OMBUSTI-E.	B10, N34 ..	None	213	240	Forbidden	Forbidden	1	5	
ROSIVE	N34	None	213	240	50 kg	No limit	1,2	1,2	
MMABLE QUID.		None	202	242	Forbidden	60 L	1	5	12
ROSIVE		154	213	240	25 kg	100 kg	1,2	1,2	

§ 172.102 Special provisions.

(a) *General.* When Column 7 of the § 172.101 Table refers to a special provision for a hazardous material, the meaning and requirements of that provision are as set forth in this section. When a special provision specifies packagings or packaging requirements, they are in addition to the standard requirements for all packagings prescribed in § 173.24 of this subchapter and any other applicable packaging requirements in Subparts A and B of Part 173 of this subchapter.

(b) *Description of codes for special provisions.* Special provisions may contain packaging provisions, prohibitions, exceptions from requirements for particular quantities or forms of materials and requirements or prohibitions applicable to specific modes of transportation, as follows:

(1) A code consisting only of numbers (for example, "11") is multi-modal in application and may apply to bulk and non-bulk packagings.

(2) A code containing the letter "A" refers to a special provision which applies only to transportation by aircraft.

(3) A code containing the letter "B" refers to a special provision which applies only to bulk packaging requirements. Unless otherwise provided in this subchapter, these special provisions do not apply to IM portable tanks.

(4) A code containing the letter "H" refers to a special provision which applies only to transportation by highway.

(5) A code containing the letter "N" refers to a special provision which applies only to non-bulk packaging requirements.

(6) A code containing the letter "R" refers to a special provision which applies only to transportation by rail.

(7) A code containing the letter "T" refers to a special provision which applies only to transportation in IM portable tanks.

(8) A code containing the letter "W" refers to a special provision which applies only to transportation by water.

(c) *Tables of special provisions.* The following tables list, and set forth the requirements of, the special provisions referred to in Column 7 of the § 172.101 Table.

(1) *Numeric provisions.* These provisions are multi-modal and apply to bulk and non-bulk packagings:

Code	Special provisions
10	Packagings shall be marked "INHALATION HAZARD" in accordance with Subpart D of Part 172.
11	The hazardous material must be packaged as either a liquid or a solid, as appropriate, depending on its physical form at 55 °C (131 °F) at atmospheric pressure.
12	Manufacturing impurities may cause this material to be toxic by inhalation. If toxic by inhalation, the shipping description, Poisonous liquids, n.o.s., *inhalation hazard*, must be used.
13	For materials which meet the criteria for inhalation toxicity in § 173.133 of this subchapter at the Packing Group I level, the proper shipping name is "Poisonous liquids, corrosive, n.o.s., *inhalation hazard, Packing Group I, Zone B*."
17	Aqueous solutions of hydrogen peroxide containing less than 8 percent hydrogen peroxide are not subject to the requirements of this subchapter.
22	If the hazardous material is in dispersion in organic liquid, the organic liquid must have a flash point above 50 °C (122 °F).
27	Sodium carbonate peroxyhydrate is considered non-hazardous.
28	The dihydrated sodium salt of dichloroisocyanuric acid is not subject to the requirements of this subchapter.
31	Materials which have undergone sufficient heat treatment to render them nonhazardous are not subject to the requirements of this subchapter.
33	Ammonium nitrites and mixtures of an inorganic nitrite with an ammonium salt are prohibited.
42	Fish meal or fish scrap may not be offered for transportation if the temperature of the material exceeds 49 °C (120.2 °F).
66	The organic peroxide included in a polyester resin kit must be specifically listed in the § 172.101 Table and be permitted for transportation.

(2) *"A" codes.* These provisions apply only to transportation by aircraft:

Code	Special provisions
A1	Single packagings are not permitted on passenger aircraft.
A2	Single packagings are not permitted on aircraft.
A4	Liquids having an inhalation toxicity of Packing Group I are not permitted on aircraft.
A5	Solids having an inhalation toxicity of Packing Group I are not permitted on passenger aircraft and may not exceed a maximum net quantity per package of 15 kg (33.1 pounds) on cargo aircraft.
A19	Combination packagings consisting of outer fiber drums or plywood drums, with inner plastic packagings, are not authorized for transportation by aircraft.
A20	Plastic bags as inner receptacles of combination packagings are not authorized for transportation by aircraft.
A29	Combination packagings consisting of outer expanded plastic boxes with inner plastic bags are not authorized for transportation by aircraft.
A30	Ammonium permanganate is not authorized for transportation on aircraft.
A33	Ammonium nitrites and mixtures of an inorganic nitrite with an ammonium salt are prohibited.

(3) "B" codes. These provisions apply only to bulk packagings:

Code	Special provisions
B1	If the material has a flash point at or above 100°F (37.8°C) and below 200°F (93.3°C), then the bulk packaging requirements of § 173.241 of this subchapter are applicable. If the material has a flash point of less than 100°F, then the bulk packaging requirements of § 173.242 of this subchapter are applicable.
B2	MC 306 cargo tanks, DOT 57 portable tanks, and riveted tank car tanks are not authorized.
B4	Riveted tank car tanks, AAR 206 tank car tanks, MC 306 cargo tanks, and DOT 57 portable tanks are not authorized.
B5	Lading temperature may not exceed 240°F (115.6°C). Only the following bulk packagings are authorized for ammonium nitrate solutions with 15 percent or more water: DOT 103 ALW, 111A60 ALW tank car tanks and MC 307 and MC 312 cargo tanks with at least 25 psig (172.4 kPa) design pressure. The packaging shall be designed for a working temperature of at least 250°F (121.1°C). Transportation by vessel is not authorized.
B6	Packagings shall be made of steel.
B7	Safety relief devices are not authorized on multi-unit tank car tanks. Openings for safety relief devices shall be plugged or blank flanged.
B8	Packagings shall be made of nickel, stainless steel, or steel with nickel, stainless steel, lead or other suitable corrosion resistant metallic lining.
B9	Bottom outlets are not authorized.
B10	Packagings must be leak tight.
B11	Tank car tanks must have a test pressure of at least 300 psi (2,068.5 kPa). Cargo and portable tanks must have a design pressure of at least 175 psig (1,206.6 kPa). Pressure relief devices on any tank must be set to function at 175 psig (1,206.6 kPa).
B12	Tank car tanks shall be marked with the name of the lading in accordance with the requirements of § 172.330.
B13	For compressed gases, §§ 173.314 and 173.315 of this subchapter specify additional requirements.
B14	Each tank, except a multi-unit tank car tank, shall be insulated by completely covering it with at least 100 millimeters (3.94 inches) of cork or other suitable insulation material of sufficient thickness that the overall thermal conductance is not more than 0.080 Btu per hour per square foot per degree Fahrenheit differential.
B15	Packagings shall be protected with non-metallic linings impervious to the lading unless the tanks conform to the provisions of § 178.343–2(c) of this subchapter.
B16	The lading shall be completely covered with an inert gas.
B17	Packagings shall be made of aluminum.
B18	Open steel hoppers or bins are authorized.
B19	The hazardous material may not exceed 45% concentration in a non-volatile solvent.
B20	The hazardous material may not exceed 50% concentration in a non-volatile solvent.
B21	The hazardous material may not exceed 60% concentration in a non-volatile solvent.
B22	The hazardous material may not exceed 90% concentration in a non-volatile solvent.
B23	Tanks shall be made of steel that is rubber lined or unlined. Unlined tanks shall be passivated before being placed in service. If unlined tanks are washed out with water, they shall be repassivated prior to return to service. Lading in unlined tanks must be inhibited so that the corrosive effect on steel is not greater than that of hydrofluoric acid of 65% concentration.
B24	Molybdenum content of stainless steel may not exceed 0.5%.
B25	Packagings shall be made from monel or nickel or monel-lined or nickel-lined steel.
B26	Tanks shall be insulated. Insulation must be at least 4 inches (101.6mm) except that insulation thickness may be reduced to 2 inches (50.8 mm) over exterior heater coils. Interior heating coils are not authorized. The lading shall be immersed in water or blanketed with an inert gas and loaded at a temperature not exceeding 140°F (60°C). After unloading, the tank shall be filled to its entire capacity with an inert gas or with water having a temperature not exceeding 140°F (60°C). Before a tank car tank is offered for return movement, it shall be placarded with "FLAMMABLE SOLID-RESIDUE" placards as described in § 172.525. When lading is immersed in water, tanks may not have bottom outlets.
B27	Tanks must have a service pressure of 150 psig (1,034.3 kPa). Tank car tanks must have a test pressure rating of 200 psi (1,379 kPa). Lading shall be blanketed at all times with a dry inert gas at a pressure not to exceed 15 psig (103.4 kPa).
B28	Packagings shall be made of stainless steel.
B29	When the lading is transported in a molten state, tanks may be equipped with heating coils except that interior heating coils are prohibited. Standpipe heaters for tank cars are permitted.

Code	Special provisions
B30	MC 330 and MC 331 cargo tanks and DOT 51 portable tanks shall be made of stainless steel except that steel other than stainless steel may be used in accordance with the provisions of § 173.24b(c). Thickness of stainless steel for tank shell and heads for cargo tanks and portable tanks must be the greater of 0.300 inch (7.62 mm) or the thickness required for a tank with a design pressure at least equal to 1.5 times the vapor pressure of the lading at 115°F (46.1°C). Notwithstanding the provisions of § 173.244(a) of this subchapter, only the following tank car tanks are authorized: DOT 105J500W tank car tanks and DOT Class 106 and 110 multi-unit tank car tanks; DOT 105S300W tank car tanks built before April 1, 1989; and DOT 105A500W tank car tanks built before April 1,1989 and equipped with at least 10 inches (25.4 cm) of polyurethane foam insulation or with a thermal protection system meeting the requirements of § 179.105–4 of this subchapter.
B31	MC 330 and MC 331 cargo tanks and DOT 51 portable tanks shall be made of stainless steel except that steel other than stainless steel may be used in accordance with the provisions of § 173.24b(c). Thickness of stainless steel for tank shell and heads for cargo tanks and portable tanks must be the greater of 0.300 inch (7.62 mm) or the thickness required for a tank with a design pressure at least equal to 1.5 times the vapor pressure of the lading at 115°F (46.1°C). Bottom outlets are not authorized on tank car tanks. Notwithstanding the provisions of §§ 173.243(a) and 173.244(a) of this subchapter, only the following tank car tanks are authorized: DOT 105J300W, 112J340W, 112T340W and 114T340W tank car tanks; DOT Class 106 and 110 multi-unit tank car tanks; DOT 105A300W tank car tanks built before April 1, 1989; and, only for materials which do not meet the definition for a flammable gas (see § 173.115(a) of this subchapter), DOT 105J300ALW tank car tanks.
B32	MC 330 and MC 331 cargo tanks and DOT 51 portable tanks shall be made of stainless steel except that steel other than stainless steel may be used in accordance with the provisions of § 173.24b(c). Thickness of stainless steel for tank shell and heads for cargo tanks and portable tanks must be the greater of 0.250 inch (6.35 mm) or the thickness required for a tank with a design pressure at least equal to 1.3 times the vapor pressure of the lading at 115°F (46.1°C). Bottom outlets are not authorized on tank car tanks. Notwithstanding the provisions of §§ 173.243(a) and 173.244(a) of this subchapter, only the following tank car tanks are authorized: DOT 105J300W, 112J340W, 112T340W, 114J340W, and 105J300ALW tank car tanks; DOT Class 106 and 110 multi-unit tank car tanks; DOT 105A100W and 111A100W4 tank car tanks built before April 1, 1989; and DOT 111A100W1 and 111A100W2 that are insulated in accordance with § 179.200–4 of this subchapter, are equipped with safety relief valves in accordance with § 179.200–18 of this subchapter and were built before April 1, 1989.
B33	MC 330 or MC 331 cargo tanks and DOT 51 portable tanks shall be made of stainless steel except that steel other than stainless steel may be used in accordance with the provisions of § 173.24b(c). Thickness of stainless steel for tank shell and heads for cargo tanks and portable tanks must be the greater of 0.250 inch (6.35 mm) or the thickness required for a tank with a design pressure at least equal to 1.2 times the vapor pressure of the lading at 115°F (46.1°C). Bottom outlets are not authorized on tank car tanks. Notwithstanding the provisions of §§ 173.243(a) and 173.244(a) of this subchapter, only the following tank car tanks are authorized: DOT 105J300W, 112J340W, 112T340W, 114J340W, and 114T340W tank car tanks; DOT Class 106 and 110 multi-unit tanks; DOT 105A200W tank cars built before April 1, 1989; and, only for materials which do not meet the definition for a flammable gas (see § 173.115(a) of this subchapter), DOT 105J300ALW tank car tanks.
B34	MC 330 or MC 331 cargo tanks and DOT 51 portable tanks shall be made of stainless steel with a design pressure at least equal to 1.1 times the vapor pressure of the lading at 115°F (46.1°C). Steel other than stainless steel may be used in accordance with the provisions of § 173.24b(c).
B35	If LC50 is more than 200 ppm but not more than 1000 ppm, Note B31 applies. If LC50 is more than 1000 ppm but not more than 3000 ppm, Special Provision B33 applies. If LC50 is more than 3000 ppm but not more than 5000 ppm, Note B34 applies.
B36	Only DOT 105J500W tank car tanks or DOT Class 106 or 110 tank car tanks are authorized.
B37	The amount of nitric oxide charged into any tank car tank may not exceed 200 psig (1,379 kPa) at 70°F (21.1°C). The amount of nitric oxide charged into cargo or portable tanks may not exceed 200 psig (1,379 kPa) at 70°F (21.1°C) or 0.55 times tank design pressure (MAWP) whichever is less.
B38	If LC50 is more than 1000 ppm but not more than 3000 ppm, Note B31 applies. If LC50 is more than 3000 ppm but not more than 5000 ppm, Special Provision B33 applies.
B39	Mixtures with flashpoints less than 23°C (73.4°F) must bear FLAMMABLE placards as prescribed in Subpart F of Part 172.
B40	For liquid materials which are toxic by inhalation (see § 173.133(a)(2) of this subchapter), if LC50 is 200 ppm or less, Note B30 applies; if LC50 is more than 200 ppm but not more than 1000 ppm, Special Provision B32 applies.
B41	Notwithstanding the periodic retest intervals specified in Retest Table 1 of 173.31 of this subchapter, the retest interval for safety relief valves on each single-unit tank car tank is 2 years and the retest interval on the tank and interior heater systems, if any, is as follows: a. For a tank 10 years old or newer, 5 years; b. For a tank older than 10 years but not older than 22 years, 3 years; and c. For a tank older than 22 years, 1 year.
B42	Each DOT 105A, 105S and 105J tank car tank shall be stenciled DOT105A200W, DOT105S200W, or DOT 105J200W, respectively. Each tank car tank shall be equipped with a safety relief valve with a start-to-discharge pressure of 150 psig (1,034.3 kPa).
B43	For single unit tank car tanks built after June 30, 1982, tank anchor to tank shell fillet welds must be examined by a suitable non-destructive testing method to ensure that welds are free from cracks or other detrimental defects.
B44	All parts of valves and safety relief devices in contact with lading must be of a material which will not cause formation of acetylides.
B45	Safety relief valves must be equipped with stainless steel or platinum frangible discs approved by the AAR Committee on Tank Cars.
B46	The detachable protective housing for the loading and unloading valves of multi-unit tank car tanks must withstand tank test pressure and must be approved by the Director, OHMT.
B49	Tanks equipped with interior heater coils are not authorized. Single unit tank car tanks must have a safety relief valve set at no more than 225 psig (1551.4kPa).
B50	Each valve outlet of a multi-unit tank car tank must be sealed by a threaded solid plug or a threaded cap with inert luting or gasket material. Valves must be of stainless steel and the caps, plugs, and valve seats must be of a material that will not be deteriorated by contact with the lading.
B51	Tank car tanks must be marked "DISPERSANT GAS" or "REFRIGERANT GAS" or with the proper shipping name.
B52	Notwithstanding the provisions of § 173.24b of this subchapter, non-reclosing pressure relief devices are authorized on DOT 57 portable tanks.
B53	Packagings shall be made of either aluminum or stainless steel.

(4) *"H" codes.* These provisions apply only to transportation by highway: (Reserved.)

(5) *"N" codes.* These provisions apply only to non-bulk packagings:

Code	Special provisions
N1	For combination packagings, if glass inner packagings (including ampoules) are used, they must be packed with absorbent material in tightly closed metal receptacles before packing in outer packagings.
N2	For combination packagings, if glass inner packagings (including ampoules) are used, they must be packed with cushioning material in tightly closed metal receptacles before packing in outer packagings.
N3	Glass inner packagings are permitted in combination or composite packagings only if the hazardous material is free from hydrofluoric acid.
N4	For combination or composite packagings, glass inner packagings, other than ampoules, are not permitted.
N5	Glass materials of construction are not authorized for any part of a packaging which is normally in contact with the hazardous material.
N6	Battery fluid packaged with electric storage batteries, wet or dry, must conform to the packaging provisions of § 173.159, paragraphs (g) or (h), of this subchapter.
N11	For combination packagings, if plastic inner packagings are used, they must be packed in tightly closed metal receptacles before packing in outer packagings.
N12	Plastic packagings are not authorized.
N13	For combination packagings, if plastic bags are used, they must be packed in tightly closed metal receptacles before packing in outer packagings.
N14	Only plastic bags are permitted as inner packagings for combination packagings.
N15	Plastic materials of construction are not authorized for any part of a packaging which is normally in contact with the hazardous material.
N16	Plastic single packagings are not authorized.
N17	Plastic composite packagings are not authorized.
N25	Steel single packagings are not authorized.
N26	Steel packagings must be corrosion-resistant or have protection against corrosion.
N32	Aluminum materials of construction are not authorized for single packagings.
N33	Aluminum drums are not authorized.
N34	Aluminum materials of construction are not authorized for any part of a packaging which is normally in contact with the hazardous material.
N35	When aluminum or aluminum alloy materials of construction are used, they must be resistant to corrosion.
N36	Aluminum or aluminum alloy materials of construction are permitted only for halogenated hydrocarbons that will not react with aluminum.
N40	For combination packagings, when metal inner packagings are permitted, only specification cylinders constructed of metals which are compatible with the hazardous material may be used.
N41	Metal (other than aluminum) materials of construction are not authorized for any part of a packaging which is normally in contact with the hazardous material.
N42	Metal (other than aluminum) materials of construction are not authorized for single packagings.
N43	Metal drums are permitted as single packagings only if constructed of nickel or monel.
N44	Only metal packagings are authorized.
N45	For combination packagings, only copper cartridges are permitted as inner packagings when the hazardous material is not in dispersion.
N55	For combination packagings, fiber drums (1G) only are permitted as outer packagings.
N65	Outage must be sufficient to prevent cylinders or spheres from becoming liquid full at 55°C (130°F). The vacant space (outage) may be charged with a nonflammable nonliquefied compressed gas if the pressure in the cylinder or sphere at 55°C (130°F) does not exceed 125% of the marked service pressure.
N70	For combination packagings, only plywood boxes (4D) and fiberboard boxes (4G) are permitted as outer packagings.
N71	Combination packagings consisting of inner glass packagings of not over 1.0 liter (1.06 quarts) capacity each or inner metal packagings of not over 5.0 liters (5.28 quarts) capacity each, placed in strong outer packagings, are authorized. Packagings are not subject to the requirements of Part 178 of this subchapter.
N72	Packagings must be examined by the Bureau of Explosives and approved by the Director, OHMT.
N73	Packagings consisting of outer wooden or fiberboard boxes with inner glass, metal or other strong containers; metal or fiber drums; kegs or barrels; or strong metal cans are authorized and need not conform to the requirements of Part 178 of this subchapter.

Code	Special provisions
N74	Packages consisting of tightly closed inner containers of glass, earthenware, metal or polyethylene, capacity not over 0.5 kg (1.1 pounds) securely cushioned and packed in outer wooden barrels or wooden or fiberboard boxes, not over 15 kg (33.1 pounds) net weight, are authorized and need not conform to the requirements of Part 178 of this subchapter.
N75	Packages consisting of tightly closed inner packagings of glass, earthenware or metal, securely cushioned and packed in outer wooden barrels or wooden or fiberboard boxes, capacity not over 2.5 kg (5.51 pounds) net weight, are authorized and need not conform to the requirements of Part 178 of this subchapter.
N76	For materials of not more than 25 percent active ingredient by weight, packages consisting of inner metal packagings not greater than 250 mL (8.5 fluid ounces) capacity each, packed in strong outer packagings together with sufficient absorbent material to completely absorb the liquid contents are authorized and need not conform to the requirements of Part 178 of this subchapter.
N77	For materials of not more than two percent active ingredients by weight, packagings need not conform to the requirements of Part 178 of this subchapter, if liquid contents are absorbed in an inert material.

Code	Special provisions
N78	Packages consisting of inner glass, earthenware, or polyethylene or other nonfragile plastic bottles or jars not over 0.5 kg (1.1 pounds) capacity each, or metal cans not over five pounds capacity each, packed in outer wooden boxes, barrels or kegs, or fiberboard boxes are authorized and need not conform to the requirements of Part 178 of this subchapter. Net weight of contents in fiberboard boxes may not exceed 65 pounds (29.5 kg). Net weight of contents in wooden boxes, barrels or kegs may not exceed 100 pounds (45.4 kg).
N79	Packages consisting of tightly closed metal inner packagings not over 0.5 kg (1.1 pounds) capacity each, packed in outer wooden or fiberboard boxes, or wooden barrels, are authorized and need not conform to the requirements of Part 178 of this subchapter. Net weight of contents may not exceed 15 kg (33.1 pounds).
N80	Packages consisting of one inner metal can, not over 2.5 kg (5.51 pounds) capacity, packed in an outer wooden or fiberboard box, or a wooden barrel, are authorized and need not conform to the requirements of Part 178 of this subchapter.

(6) *"R" codes.* These provisions apply only to transportation by rail:
(Reserved)

(7) *"T" codes.* These provisions apply only to transportation in IM portable tanks. They are divided into two groupings, one of which appears as the IM Tank Table in paragraph (c)(7)(i) of this section, and the second of which imposes specific requirements and appears in paragraph (c)(7)(ii) of this section.

(i) *IM Tank Table.* Column 1 lists the code for the special provisions as specified in Column 7 of the § 172.101 Table. Column 2 specifies the IM tank type, either IM 101 (§§ 178.270 and 178.271 of this subchapter) or IM 102 (§§ 178.270 and 178.272 of this subchapter). Column 3 specifies the minimum test pressure, in bars (1 bar=14.5 psig), at which the periodic hydrostatic testing required by § 173.32b of this subchapter must be conducted. Column 4 specifies either the section referenced for requirements for bottom openings or "Prohibited", which means bottom openings are prohibited. Column 5 specifies the section reference for requirements applicable to pressure relief devices.

IM TANK TABLE

Code	IM tank type	Minimum test pressure (bars)	Bottom outlets	Pressure relief devices
(1)	(2)	(3)	(4)	(5)
T1	102	1.5	§ 173.32c(g)(1)	§ 178.270–11(a)(1),(2).
T2	102	1.5	§ 173.32c(g)(2)	§ 178.270–11(a)(1),(2).
T7	101	2.65	§ 173.32c(g)(1)	§ 178.270–11(a)(1),(2).
T8	101	2.65	§ 173.32c(g)(2)	§ 178.270–11(a)(1),(2).
T9	101	2.65	Prohibited	§ 178.270–11(a)(1),(2).
T11	101	2.65	§ 173.32c(g)(2)	§ 178.270–11(a)(3).
T12	101	2.65	Prohibited	§ 178.270–11(a)(3).
T13	101	4	§ 173.32c(g)(1)	§ 178.270–11(a)(1),(2).
T14	101	4	§ 173.32c(g)(2)	§ 178.270–11(a)(1),(2).
T15	101	4	Prohibited	§ 178.270–11(a)(1),(2).
T16	101	4	§ 173.32c(g)(1)	§ 178.270–11(a)(3).
T17	101	4	§ 173.32c(g)(2)	§ 178.270–11(a)(3).
T18	101	4	Prohibited	§ 178.270–11(a)(3).
T20	101	6	§ 173.32c(g)(2)	§ 178.270–11(a)(1),(2).
T21	101	6	Prohibited	§ 178.270–11(a)(1),(2).
T23	101	6	§ 173.32c(g)(2)	§ 178.270–11(a)(3).
T24	101	6	Prohibited	§ 178.270–11(a)(3).
T28	101	10	Prohibited	§ 178.270–11(a)(1),(2).
T39	101	10	Prohibited	§ 178.270–11(a)(3).

(ii) *IM Tank special provisions.* These provisions apply only to transportation in IM portable tanks:

Code	Special provisions
T25	This hazardous material is not permitted for transport in IM portable tanks.
T26	Each tank must have a minimum shell thickness of 6.35mm (0.250 inch) mild steel.
T27	Each tank must have a minimum shell thickness of 8.0mm (0.315 inch) mild steel.
T29	The lading shall be completely covered with nitrogen or an inert gas.

Code	Special provisions
T30	IM 102 portable tanks without bottom openings authorized for a hazardous material with a flash point of 32°F (0°C) or greater and a vapor pressure not greater than 9.5 psia (65.5 kPa) at 150°F (65.6°C).
T31	IM 102 portable tanks without bottom openings or with bottom openings conforming to § 173.32c(g)(2) of this subchapter are authorized for a hazardous material with a flash point of 32°F (0°C) or greater and a vapor pressure not greater than 9.5 psia (65.5 kPa) at 150°F (65.6°C).
T32	Each tank must have a minimum shell thickness of 10.0mm (0.394 inch) mild steel with at least 5.0mm (0.197 inch) lead lining.

Code	Special provisions
T33	Dry phosphorus is not permitted. For transport in a molten state, the tank shall be insulated in accordance with Note T38. Air shall be eliminated from the interior of the tank. The tank may be heated, however, interior heating coils are prohibited.
T35	Each tank shall be equipped with reclosing (spring loaded) pressure relief valves set to discharge at pressures determined according to the pressure characteristics of the organic peroxide lading.
T36	Each tank shall be equipped with pressure relief devices with sufficient venting capacity to prevent the tank from bursting.

Code	Special provisions
T37	Tert-butyl hydroperoxide may not exceed 65% concentration in water, unless otherwise approved by the Director, OHMT. Each tank shall be made of aluminum of at least 99.5% purity, stainless steel or carbon steel. The material of construction must be compatible with the lading. The tank shall be equipped with pressure relief devices impervious to the lading. Aluminum tanks and carbon steel tanks shall be insulated in accordance with Note T38.
T38	Each tank shall be thermally insulated by completely covering it with at least 100 millimeters (3.94 inches) of cork or other suitable insulation material of sufficient thickness that the overall thermal conductance is not more than 0.080 Btu per hour per square foot per degree Fahrenheit differential.
T40	Each tank must have a minimum shell thickness of 10.0mm (0.394 inch) mild steel.
T41	Each tank must have a minimum shell thickness of 12.0mm (0.472 inch) mild steel.
T42	Transport in IM portable tanks is permitted only under conditions approved by the Director, OHMT.

(8) *"W" codes.* These provisions apply only to transportation by water:

Code	Special provisions
W41	When offered for transportation by water, this material must be packaged in bales and be securely and tightly bound with rope, wire or similar means.

Subpart C—Shipping Papers

12. In § 172.200, paragraph (b) would be revised to read as follows:

§ 172.200 Applicability.

* * * * *

(b) This subpart does not apply to any material, other than a hazardous substance or waste, that is:

(1) Regulated only by air, water, or both (as indicated by the letter "A" or "W", or both, in Column 1 of the § 172.101 Table) when offered for transportation or transported in another mode of transport; or

(2) An ORM–D material, unless it is offered or intended for transportation, or transported, by aircraft.

§ 172.201 [Amended]

13. In § 172.201, in paragraph (a)(3), the word "subpart" would be changed to "subchapter" and paragraphs (a)(4)(i) and (a)(4)(ii) would be removed.

14. In § 172.202, paragraphs (a), (b), (c) and (d) would be revised and paragraph (f) would be added to read as follows:

§ 172.202 Description of hazardous material on shipping papers.

(a) The shipping description of a hazardous material on the shipping paper must include:

(1) The proper shipping name prescribed for the material in Column 2 of the § 172.101 Table;

(2) The hazard class prescribed for the material as shown in Column 3 of the § 172.101 Table:

(i) For Class 3, the description "Combustible liquid" must appear in parentheses immediately following the hazard class if the material is classed, under § 173.120(b) of this subchapter, as a combustible liquid.

(ii) Class names, IMO class and division numbers or subsidiary hazard classes may be entered in parentheses following the numerical hazard class;

(3) The identification number prescribed for the material as shown in Column 4 of the § 172.101 Table;

(4) The packing group, if any, prescribed for the material in Column 5 of the § 172.101 Table preceded by the letters "PG"; and

(5) Except for empty packagings, the total quantity (by weight, volume or as otherwise appropriate) of the hazardous material covered by the description.

(b) Except as provided in this subpart, the basic description specified in paragraphs (a) (1), (2), (3) and (4) of this section must be shown in sequence with no additional information interspersed. For example: "Gasoline, 3, UN1203, PG II".

(c) The total quantity of the material covered by one description must appear before or after, or both before and after, the description required and authorized by this subpart. The type of packaging and destination marks may be entered in any appropriate manner before or after the basic description. Abbreviations may be used to express units of measurement and types of packagings.

(d) Technical and chemical group names may be entered in parentheses between the proper shipping name and hazard class. An appropriate modifier, such as "contains" or "containing," may be used. For example: "Flammable liquids, n.o.s. (contains Xylene and Benzene), 3, UN1993, PG II".

* * * * *

(f) *Technical names.* If the material is described by an n.o.s. entry in the § 172.101 Table, the technical name of the material shall be entered in parentheses immediately following the proper shipping name. For example, "Corrosive liquids, n.o.s. (Caprylyl chloride), 8, UN1760, PG II". If the material is a mixture of two or more hazardous materials, the names of at least two components most predominately contributing to the hazard or hazards of the mixture shall be entered in parentheses. For example, "Flammable liquids, corrosive, n.o.s. (Methyl alcohol, Potassium hydroxide), 3, UN2924, PG II". The provisions of this paragraph do not apply:

(1) If the n.o.s. description for the material (other than a mixture of hazardous materials of different classes meeting the definitions of more than one hazard class) contains the name of the chemical element or group which is primarily responsible for the material being included in the hazard class indicated. For example: "Mercury compounds, solid, n.o.s., 6.1, UN2025, PG II".

(2) If the n.o.s. description for the material (which is a mixture of hazardous materials of different classes meeting the definition of more than one hazard class) contains the name of the chemical element or group responsible for the material meeting the definition of one of these classes. In such cases, only the technical name of the component that is not appropriately identified in the n.o.s description shall be entered in parentheses. For example: "Carbamate pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 °C* (contains Xylene), 3(6.1), UN2758, PG II".

15. In § 172.203, paragraphs (i)(3) and (l) would be removed and paragraphs (c), (i)(2), (j) and (k)(4) would be revised to read as follows:

§ 172.203 Additional description requirements.

* * * * *

(c) *Hazardous substances.* (1) If the proper shipping name for a material that is a hazardous substance does not identify the constituents making it a hazardous substance, the name or names of such hazardous substance constituents as shown in the § 172.101 Table shall be entered in association with the basic description.

(2) The letters "RQ" shall be entered on the shipping paper either before or after, or both before and after, the basic description required by § 172.202 for each hazardous substance (see definition in § 171.8). For example: "RQ, Allyl alcohol, 3, UN1098, PG I"; or "Benzonitrile, 6.1, UN2224, PG II, RQ".

* * * * *

(i) * * *

(2) The entry "skin corrosive only" must be included in association with the basic description to authorize "under deck" stowage for Corrosive liquids, n.o.s. and Corrosive solids, n.o.s. that meet only the corrosion to skin criteria of § 173.136(a) of this subchapter.

(j) *Dangerous when wet material.* The words "Dangerous when wet" shall be entered on the shipping paper in association with the basic description for a material which meets the definition of a dangerous when wet material in § 173.124(c) of this subchapter.

(k) * * *

(4) For Division 2.3 materials and for materials which meet the definition for Division 6.1, Packing Group I, and which

are toxic by inhalation under the criteria specified in § 173.133(a)(2) of this subchapter, the words "Poison-Inhalation Hazard" shall be entered on the shipping paper in association with the shipping description. However, the word "Poison" need not be repeated if it otherwise appears in the shipping description.

Subpart D—Marking

16. Section 172.301 would be revised to read as follows:

§ 172.301 General marking requirements for non-bulk packagings.

(a) *Proper shipping name and identification number.* Except as otherwise provided by this subchapter, each person who offers for transportation a hazardous material in a non-bulk packaging shall mark the package with the proper shipping name and identification number (preceded by "UN" or "NA" as appropriate) for the material as shown in the § 172.101 Table. The proper shipping name for a hazardous waste (as defined in § 171.8 of this subchapter) is not required to include the word "waste" if the package bears the EPA marking prescribed by 40 CFR 262.32.

(b) *Technical names.* (1) In addition to the marking required by paragraph (a) of this section, a package containing a hazardous material, which is described by an n.o.s. entry in the § 172.101 Table, must be marked with the technical name of the material, in parentheses immediately following (or below) the proper shipping name. For example: "Corrosive liquids, n.o.s. (Caprylyl chloride), UN1760".

(2) If the material is a mixture of two or more hazardous materials, the names of at least two components most predominately contributing to the hazard or hazards of the mixture shall be entered in parentheses. For example: "Flammable liquids, corrosive, n.o.s. (Methanol, Potassium hydroxide), UN2924".

(3) The provisions of this paragraph do not apply:

(i) If the "n.o.s." description for the material (other than a mixture of hazardous materials of different classes meeting the definition of more than one hazard class) contains the name of the chemical element or group which is primarily responsible for the material being included in the hazard class indicated. For example: "Mercury compounds, solid, n.o.s., UN2025".

(ii) If the "n.o.s." description for the material (which is a mixture of hazardous materials of different classes meeting the definition of more than one hazard class) contains the name of the chemical element or group responsible for the material meeting the definition of one of these classes. In such cases, only the technical name of the component that is not appropriately identified in the "n.o.s." description is required to be entered in parentheses. For example: "Carbamate pesticides, liquid, flammable, toxic, n.o.s. (Xylene), UN2758".

(c) *Exemption packagings.* The outside of each package authorized by an exemption must be plainly and durably marked "DOT–E" followed by the exemption number assigned.

(d) *Previously marked packagings.* A package which has been previously marked as required for the material it contains and on which the marking remains legible, need not be remarked. (For empty packagings, see § 173.29 of this subchapter.)

(e) *Marking exceptions.* Identification numbers are not required on packages which contain only the following materials:

(1) Limited quantities as defined in § 171.8 of this subchapter;

(2) ORM–D materials.

17. Section 172.302 would be revised to read as follows:

§ 172.302 General marking requirements for bulk packagings.

(a) *Identification numbers.* Except as otherwise provided in this subpart, no person may offer for transportation or transport a hazardous material in a bulk packaging unless the packaging is marked as required by § 172.332 with the identification number specified for the material in the § 172.101 Table—

(1) On each side and each end, if the packaging has a capacity of 1,000 gallons (3,785.4 liters) or more, or

(2) On two opposing sides, if the packaging has a capacity of less than 1,000 gallons (3,785.4 liters).

(b) *Size of markings.* Except as otherwise provided, markings required by this subpart on bulk packagings must have a width of at least 6.0mm (0.24 inch) and a height of—

(1) 100mm (3.9 inches) for rail cars;

(2) 75mm (3.0 inches) for cargo tanks, and

(3) 50mm (2.0 inches) for other bulk packages.

(c) *Exemption packagings.* The outside of each bulk package used under the terms of an exemption must be plainly and durably marked "DOT–E" followed by the exemption number assigned.

(d) *Technical names.* Each bulk packaging marked with a proper shipping name which contains the term "n.o.s.", must be marked with the technical name of the hazardous material, in the manner prescribed in § 172.301(b).

(e) Each bulk packaging marked with a proper shipping name, common name or identification number as required by this subpart must remain marked when it is emptied unless it is—

(1) Sufficiently cleaned of residue and purged of vapors to remove any potential hazard; or

(2) Refilled, with a material requiring different markings or no markings, to such an extent that any residue remaining in the packaging is no longer hazardous.

(f) Specific requirements for marking portable tanks, cargo tanks, tank cars and multi-unit tank car tanks are prescribed in §§ 172.326, 172.328 and 172.330.

18. A new § 172.303 would be added to read as follows:

§ 172.303 Prohibited marking.

(a) No person may offer for transportation or transport a package which is marked with the proper shipping name or identification number of a hazardous material unless the package contains the identified hazardous material or its residue.

(b) This section does not apply to transportation of a package (or packaging) in a transport vehicle or freight container if the package (or packaging) is not visible during transportation and is loaded by the shipper and unloaded by the shipper or consignee.

19. Section 172.306 would be revised to read as follows:

§ 172.306 Consignee's or consignor's name and address.

Each person who offers for transportation a hazardous material in a non-bulk package shall mark that package with the name and address of the consignor or consignee except when the package is—

(a) Transported by highway only and will not be transferred from one motor carrier to another; or

(b) Part of a carload lot, truckload lot or freight container load, and the entire contents of the rail car, truck or freight container are shipped from one consignor to one consignee.

20. In § 172.308, paragraph (a)(3) would be added to read as follows:

§ 172.308 Authorized abbreviations.

(a) * * *

(3) Abbreviations which appear as authorized descriptions in Column 2 of

the § 172.101 Table are authorized. For example, "PCB", "2, 4–D", etc.

21. Section 172.312 would be revised to read as follows:

§ 172.312 Liquid hazardous materials in non-bulk packagings.

(a) Except as provided in this section, each non-bulk package having inner packagings containing liquid hazardous materials must be:

(1) Packed with closures upward, and

(2) Legibly marked with package orientation markings as specified in ISO Standard R780–1968 on two opposite vertical sides of the package with the arrows pointing in the correct upright direction.

(b) Except as otherwise prescribed in Part 173 of this subchapter, cylinders of liquefied compressed gas are not required to be marked "THIS SIDE UP" or "THIS END UP."

(c) Arrows for purposes other than indicating proper package orientation may not be displayed on a package containing a liquid hazardous material.

(d) Except when offered or intended for transportation by aircraft, packages containing flammable liquids in inner packagings of one liter or less prepared in accordance with § 173.150 (b) or (c) of this subchapter are excepted from the requirements of paragraph (a) of this section.

(e) When offered or intended for transportation by aircraft, packages containing flammable liquids in inner packagings of one liter or less prepared in accordance with § 173.150 (b) or (c) of this subchapter are excepted from the requirements of paragraph (a) of this section when packed with sufficient absorption material between the inner and outer packagings to completely absorb the liquid contents.

22. A new § 172.313 would be added to read as follows:

§ 172.313 Poisonous hazardous materials.

(a) For Division 2.3 materials and for poisonous liquids subject to the "Poison-Inhalation Hazard" shipping paper description of § 172.203(k)(4), the package containing the material shall be marked "Inhalation Hazard" in association with the required label(s) or placard(s). (See § 172.302(b) for size of markings on bulk packages.) Bulk packagings must be marked on two opposing sides.

(b) Each non-bulk plastic outer packaging used as a single or composite packaging for materials meeting the definition of Division 6.1 (in § 173.132 of this subchapter) shall be permanently marked, by embossment or other durable means, with the word "POISON" in letters at least 6.3mm (0.25 inch) in height. Additional text or symbols related to hazard warning may be included in the marking. The marking shall be located within 150mm (5.9 inches) of the closure of the packaging.

23. In § 172.316, paragraph (a) and the beginning of the first sentence in paragraph (c) preceding the word "certification" would be revised to read as follows:

§ 172.316 Packagings containing material classed as ORM–D or ORM–E.

(a) Each non-bulk packaging containing a material classed as ORM–D or ORM–E must be marked on at least one side or end with the appropriate ORM designation immediately following or below the proper shipping name of the material. The appropriate ORM designation must be placed within a rectangle that is approximately 6.3mm (0.25 inch) larger on each side than the designation. The appropriate designation for each ORM must be:

(1) ORM–D–AIR for an ORM–D that is prepared for air shipment and packaged in accordance with the provisions of § 173.27 of this subchapter.

(2) ORM–D for an ORM–D other than as described in paragraph (a)(1) of this section.

(3) ORM–E for an ORM–E.

* * * * *

(c) The marking ORM–D or ORM–E is the * * *.

24. Section 172.324 would be revised to read as follows:

§ 172.324 Hazardous substances in non-bulk packagings.

(a) If the proper shipping name for a material that is a hazardous substance does not identify the constituents making it a hazardous substance, the name or names of the hazardous substance constituents as shown in the § 172.101 Table shall be entered in association with the proper shipping name on each non-bulk packaging.

(b) The letters "RQ" shall be displayed in association with the proper shipping name on a non-bulk packaging that contains a hazardous substance.

25. Section 172.326 would be revised to read as follows:

§ 172.326 Portable tanks.

(a) *Shipping name.* No person may offer for transportation or transport a portable tank containing a hazardous material unless it is legibly marked on two opposing sides with the proper shipping name specified for the material in § 172.101.

(b) [Reserved]

(c) *Owner's name.* The name of the owner or of the lessee, if applicable, must be displayed on a portable tank that contains a hazardous material.

(d) If the identification number marking required by § 172.302(a) is not visible, a transport vehicle or freight container used to transport a portable tank must be marked on each side and each end as required by § 172.332 with the identification number specified for the material in the § 172.101 Table.

26. Section 172.328 would be revised to read as follows:

§ 172.328 Cargo tanks.

(a) *Providing and affixing identification numbers.* Unless a cargo tank is already marked with the identification numbers required by this subpart, the identification numbers must be provided or affixed as follows:

(1) A person who offers a motor carrier a hazardous material for transportation in a cargo tank shall provide the motor carrier the identification numbers on placards or shall affix orange panels containing the required identification numbers, prior to or at the time the material is offered for transportation.

(2) A person who offers a cargo tank containing a hazardous material for transportation shall affix the required identification numbers on panels or placards prior to or at the time the cargo tank is offered for transportation.

(b) [Reserved]

(c) *Required markings; Gases.* Except for certain nurse tanks which must be marked as specified in § 173.315(m) of this subchapter, each cargo tank transporting a Class 2 material subject to this subchapter must be marked, in lettering no less than 50mm (1.97 inches), on each side and each end with—

(1) The proper shipping name specified for the gas in the § 172.101 Table, or

(2) An appropriate common name for the material such as "Refrigerant Gas".

(d) *QT/NQT markings.* Each MC 330 and MC 331 cargo tank must be marked near the specification plate, in letters no less than 50mm (1.97 inches) in height, with—

(1) "QT", if the cargo tank is constructed of quenched and tempered steel, or

(2) "NQT", if the cargo tank is constructed of other than quenched and tempered steel.

27. In § 172.330, the phrase "or § 172.102 (when authorized)" would be removed from paragraphs (c)(2) and (e), the phrase "or § 172.102" would be

removed from paragraph (c)(1), paragraph (f) would be removed and paragraphs (a) and (b) would be revised to read as follows:

§ 172.330 Tank cars and multi-unit tank car tanks.

(a) *Shipping name.* No person may offer for transportation or transport a hazardous material—

(1) In a tank car unless the tank car is marked on each side, when required by § 172.102 or Part 173 of this subchapter, with the proper shipping name specified for the material in the § 172.101 Table or with a common name authorized in this subchapter for the material such as "Refrigerant Gas".

(2) In a multi-unit tank car tank, unless the tank is marked on two opposing sides, in letters and numerals no less than 50mm (2.0 inches) high, with the proper shipping name specified for the material in the § 172.101 Table or with a common name authorized for the material in this subchapter.

(b) A motor vehicle or rail car used to transport a multi-unit tank car tank containing a hazardous material must be marked on each side and each end, as required by § 172.332, with the identification number specified for the material in the § 172.101 Table.

* * * * *

28. In § 172.332, paragraph (c)(3) would be revised to read as follows:

§ 172.332 Identification number markings.

* * * * *

(c) * * *

(3) An identification number may be displayed only on a placard corresponding to the primary hazard class of the hazardous material.

* * * * *

§ 172.334 [Amended]

29. In § 172.334 the phrase "POISON GAS", would be removed from paragraph (a), and the phrase "or § 172.102 (when authorized)" would be removed from paragraph (b).

Subpart E—Labeling

30. Section 172.400 would be revised to read as follows:

§ 172.400 General labeling requirements.

(a) Each person who offers for transportation or transports a hazardous material in any of the following packages or containment devices, shall label the package or containment device with labels specified for the material in the § 172.101 Table and in this subpart:

(1) A non-bulk package;

(2) A portable tank of less than 1000 gallons (3,785.4 liters) capacity;

(3) A DOT Specification 106 or 110 multi-unit tank car tank; and

(4) An overpack, freight container or unit load device, of no greater than 640 cubic feet (18.1 cubic meters) capacity, which contains a package for which labels are required.

(b) Labeling is required for a hazardous material which meets one or more hazard class definitions, in accordance with Column 6 of the § 172.101 Table and the following table:

Hazard class division reference (§)	Label name	Label design or section
1.1	EXPLOSIVE 1.1	172.491
1.2	EXPLOSIVE 1.2	172.411
1.3	EXPLOSIVE 1.3	172.411
1.4	EXPLOSIVE 1.4	172.411
1.5	EXPLOSIVE 1.5	172.411
2.1	FLAMMABLE GAS	172.417
2.2	NON-FLAMMABLE GAS.	172.415
2.3	POISON GAS	172.416
3 (flammable liquid)	FLAMMABLE LIQUID	172.419
3 (combustible liquid)	(none)	
4.1	FLAMMABLE SOLID	172.420
4.2	SPONTANEOUSLY COMBUSTIBLE.	172.422
4.3	DANGEROUS WHEN WET	172.423
5.1	OXIDIZER	172.426
5.2	ORGANIC PEROXIDE	172.427
6.1 (Packing Groups I and II).	POISON	172.430
6.1 (Packing Group III)	KEEP AWAY FROM FOOD.	172.431
6.2 (international)	INFECTIOUS SUBSTANCE.	172.432
6.2 (domestic)	ETIOLOGIC AGENT	172.444
7 (see § 172.403)	RADIOACTIVE WHITE-I.	172.436
7	RADIOACTIVE YELLOW-II.	172.438
7	RADIOACTIVE YELLOW-III.	172.440
7 (empty packages, see § 173.427).	EMPTY	172.450
8	CORROSIVE	172.442
9	CLASS 9	172.446
ORM-D	(None)	
ORM-E	(None)	

30. A new § 172.400a would be added to read as follows:

§ 172.400a Exceptions from labeling.

(a) Notwithstanding the provisions of § 172.400, a label is not required on—

(1) A cylinder containing a compressed gas that is—

(i) Not poisonous;

(ii) Carried by a private or contract motor carrier;

(iii) Not overpacked; and

(iv) Durably and legibly marked in accordance with CGA Pamphlet C–7, Appendix A.

(2) A package or unit of military explosives (including ammunition) shipped by or on behalf of the DOD when in—

(i) Freight containerload, carload or truckload shipments, if loaded and unloaded by the shipper or DOD; or

(ii) Unitized or palletized break-bulk shipments by cargo vessel under charter to DOD if at least one required label is displayed on each unitized or palletized load.

(3) A package containing a hazardous material other than ammunition that is—

(i) Loaded and unloaded under the supervision of DOD personnel, and

(ii) Escorted by DOD personnel in a separate vehicle.

(4) A compressed gas cylinder permanently mounted in or on a transport vehicle.

(5) A freight container, an aircraft unit load device or a portable tank, which—

(i) Is placarded in accordance with Subpart F of this part, or

(ii) Conforms to paragraph (a)(3) or (b)(3) of § 172.512.

(6) An overpack or unit load device in or on which each different required label on packages of hazardous materials is visible.

(7) A package of low specific activity radioactive material, when transported under § 173.425(b) of this subchapter.

(8) A package containing Division 1.4, Compatibility Group S, material.

(b) Notwithstanding the provisions of § 172.402 of this subpart, a subsidiary hazard label corresponding to Class 3, Packing Group III or Class 8, Packing Group III (that is, a FLAMMABLE or CORROSIVE label, respectively) is not required to be displayed on a package containing a multiple hazard material, unless the package is offered or intended for transportation by aircraft or vessel.

(c) Certain exceptions to labeling requirements are provided for small quantities and limited quantities in applicable sections in Part 173 of this subchapter.

§ 172.401 [Amended]

32. In § 172.401, paragraph (d) would be removed.

33. Section 172.402 would be revised to read as follows:

§ 172.402 Additional labeling requirements.

(a) *Subsidiary hazard labels.* Notwithstanding the subsidiary labels specified in Column 6 of the § 172.101 Table, each package containing a material, other than a Class 2 material, meeting the definition of more than one hazard class shall be labeled with subsidiary hazard labels in accordance with the following table:

SUBSIDIARY HAZARD LABELS

Subsidiary hazard level (packing group)	Subsidiary hazard (class or division)						
	3	4.1	4.2	4.3	5.1	6.1	8
I	X	X	X	X	X	X	X
II	X	X	X	X	X	X	X
III	(1)	(3)	X	X	(3)	(3)	(2)

X Required for all modes.
[1] Required for transport by vessel only.
[2] Required for transport by aircraft only.
[3] Not required.

(b) *CARGO AIRCRAFT ONLY label.* Each person who offers for transportation or transports by aircraft a package containing a hazardous material which is authorized on cargo aircraft only shall label the package with a CARGO AIRCRAFT ONLY label specified in § 172.448.

34. Section 172.405 would be revised to read as follows:

§ 172.405 Authorized label modifications.

(a) For Classes 2, 3, 4, 5, 6, or 8, text indicating a hazard (for example FLAMMABLE LIQUID) is not required on a label when—

(1) The label otherwise conforms to the provisions of this subpart, and

(2) The hazard class or division number is displayed in the lower corner of a label corresponding to the primary hazard class of the material.

(b) Except as provided in paragraph (a) of this section, class and division numbers are not required on labels for Classes 2, 3, 4, 5, 6, 7, or 8. Class and division numbers should not be displayed on subsidiary hazard labels.

35. Section 172.406 would be revised to read as follows:

§ 172.406 Placement of labels.

(a) *General.* (1) Except as provided in paragraphs (b) and (e) of this section, each label required by this subpart must—

(i) Be printed on or affixed to a surface (other than the bottom) of the package or containment device containing the hazardous material; and

(ii) Be located on the same surface of the package as the proper shipping name marking, if the package dimensions are adequate.

(2) Except as provided in paragraph (e) of this section, duplicate labeling is not required on a package or containment device (such as to satisfy redundant labeling requirements).

(b) *Exceptions.* A label may be printed on or placed on a securely affixed tag, or may be affixed by other suitable means to:

(1) A package that contains no radioactive material and which has dimensions less than those of the required label;

(2) A compressed gas cylinder; and

(3) A package which has such an irregular surface that a label cannot be satisfactorily affixed.

(c) *Placement of multiple labels.* When primary and subsidiary hazard labels are required, they must be displayed next to each other. Placement conforms to this requirement if labels are within 150 mm (5.9 inches) of one another.

(d) Each label must be printed on or affixed to a background of contrasting color, or must have a dotted or solid line outer border.

(e) *Duplicate labeling.* When labeling is required, duplicate labels must be displayed on at least two sides or two ends (other than the bottom) of—

(1) Each non-bulk package or overpack having a volume of 64 cubic feet (1.8 cubic meters) or more;

(2) Each non-bulk package containing a radioactive material;

(3) Each DOT 106 or 110 multi-unit tank car tank. Labels must be displayed on each end;

(4) Each portable tank of less than 1000 gallons (3,785.4 liters) capacity; and

(5) Each freight container or aircraft unit load device having a volume of 64 cubic feet (1.8 cubic meters) or more, but less than 640 cubic feet (18.1 cubic meters). One of each required label must be displayed on or near the closure.

(f) *Obscured labels.* A label must be clearly visible and may not be obscured by markings or attachments.

36. Section 172.407 would be revised to read as follows:

§ 172.407 Label specifications.

(a) *Durability.* Each label, whether printed on or affixed to a package, must be durable and weather resistant. A label on a package must be able to withstand, without deterioration or a substantial change in color, a 30-day exposure to conditions incident to transportation that reasonably could be expected to be encountered by the labeled package.

(b) *Design.* (1) Except for size and color, the printing, inner border, and symbol on each label must be as shown in §§ 172.411 through 172.448, as appropriate.

(2) The dotted line border shown on each label is not part of the label specification, except when used as an alternative for the solid line outer border to meet the requirements of § 172.406(d).

(c) *Size.* (1) Each diamond (square-on-point) label prescribed in this subpart must be at least 100 mm (3.9 inches) on each side with each side having a solid line inner border 5.0 to 6.3 mm (0.20 to 0.25 inches) from the edge.

(2) The CARGO AIRCRAFT ONLY label must be a rectangle measuring at least 110 mm (4.3 inches) in height by 120 mm (4.7 inches) in width. The word "DANGER" must be shown in letters measuring at least 12.7 mm (0.5 inches) in height.

(3) Except as otherwise provided in this subpart, the hazard class number, or division number, as appropriate, must be at least 6.3 mm (0.25 inches) and not greater than 12.7 mm (0.5 inches).

(4) When text indicating a hazard is displayed on a label, the label name must be shown in letters measuring at least 7.6mm (0.30 inches) in height except that—

(i) For a SPONTANEOUSLY COMBUSTIBLE or DANGEROUS WHEN WET label, respectively, the words "Spontaneously" and "When Wet" must be shown in letters measuring at least 5.1mm (0.2 inches) in height.

(ii) For a KEEP AWAY FROM FOOD label, the word "HARMFUL" must be shown in letters measuring at least 7.6 mm (0.3 inches) in height.

(5) The symbol on each label must be proportionate in size to that shown in the appropriate section of this subpart.

(d) *Color.* (1) The background color on each label must be as prescribed in §§ 172.411 through 172.448, as appropriate.

(2) The symbol, text, numbers, and border must be shown in black on a label except that—

(i) White may be used on a label with a one color background of green, red or blue; and

(ii) White must be used for the text and class number for the CORROSIVE label.

(3) Black and any color on a label must be able to withstand, without substantial change, a 72-hour fadeometer test (for a description of equipment designed for this purpose, see ASTM G 23–69 (1975) or G 26–70).

(4) A color on a label, upon visual examination, must fall within the color tolerances displayed on the appropriate Label and Placard Color Tolerance Chart.

(i) A set of six charts, dated January 1973, for comparison with labels and placards surfaced with paint, lacquer, enamel, plastic or other opaque coatings, or ink, may be purchased from the Office of Hazardous Materials Transportation, U.S. Department of Transportation, Washington, DC 20590, for $5.50.

(ii) A set of six charts, dated January 1974, for comparison with labels and placards surfaced with ink, may be similarly purchased for $12.50.

(iii) Both sets of charts may be inspected in Room 8426, Nassif Building, 400 7th Street SW., Washington, DC 20590, or any of the offices of the Federal Highway Administration listed at 49 CFR 390.40.

(iv) The technical specifications for each chart are set forth in Appendix A to this part.

(5) The specified label color must extend to the edge of the label in the area designated on each label except the CORROSIVE, RADIOACTIVE YELLOW-II AND RADIOACTIVE YELLOW-III labels on which the color must extend only to the inner border.

(e) *Form identification.* A label may contain form identification information, including the name of its maker, provided that information is printed outside the solid line inner border in no larger than 10-point type.

(f) *Exceptions.* A label conforming to specifications in the UN Recommendations may be used in place of a corresponding label which conforms to the requirements of this subpart.

37. Section 172.411 would be revised to read as follows:

§ 172.411 EXPLOSIVE 1.1, 1.2, 1.3, 1.4 and 1.5 labels.

(a) Except for size and color, the EXPLOSIVE 1.1, EXPLOSIVE 1.2 and EXPLOSIVE 1.3 labels must be as follows:

(b) In addition to complying with § 172.407, the background color on the EXPLOSIVE 1.1, EXPLOSIVE 1.2 and EXPLOSIVE 1.3 labels must be orange. The "**" shall be replaced with the appropriate division number and compatibility group. The compatibility group letter must be the same size as the division number and must be shown as a capitalized Roman letter.

(c) Except for size and color, the EXPLOSIVE 1.4 and EXPLOSIVE 1.5 labels must be as follows:

EXPLOSIVE 1.4:

EXPLOSIVE 1.5:

(d) In addition to complying with § 172.407, the background color on the EXPLOSIVE 1.4 and EXPLOSIVE 1.5 labels must be orange. The "*" shall be replaced with the appropriate compatibility group. The compatibility group letter must be shown as a capitalized Roman letter measuring at least 12.7mm (0.5 inche) in height. Division numerals must measure at least 30mm (1.2 inche) in height and at least 5mm (0.2 inches) in width.

38. Section 172.415 would be revised to read as follows:

§ 172.415 NON-FLAMMABLE GAS label.

(a) Except for size and color, the NON-FLAMMABLE GAS label must be as follows:

(b) In addition to complying with § 172.407, the background color on the NON-FLAMMABLE GAS label must be green.

39. Section 172.416 would be revised to read as follows:

§ 172.416 POISON GAS label.

(a) Except for size and color, the POISON GAS label must be as follows:

(b) In addition to complying with § 172.407, the background on the POISON GAS label must be white.

40. Section 172.417 would be revised to read as follows:

§ 172.417 FLAMMABLE GAS label.

(a) Except for size and color, the FLAMMABLE GAS label must be as follows:

(b) In addition to complying with § 172.407, the background color on the FLAMMABLE GAS label must be red.

41. Section 172.419 would be revised to read as follows:

§ 172.419 FLAMMABLE LIQUID label.

(a) Except for size and color the FLAMMABLE LIQUID label must be as follows:

(b) In addition to complying with § 172.407, the background color on the FLAMMABLE LIQUID label must be red.

42. Section 172.420 would be revised to read as follows:

§ 172.420 FLAMMABLE SOLID label.

(a) Except for size and color, the FLAMMABLE SOLID label must be as follows:

(b) In addition to complying with § 172.407, the background on the FLAMMABLE SOLID label must be white with vertical red stripes equally spaced on each side of a red stripe placed in the center of the label. The red vertical stripes must be spaced so that, visually, they appear equal in width to the white spaces between them. The symbol (flame) and text (when used) must be overprinted. The text "FLAMMABLE SOLID" may be placed in a white rectangle.

43. Section 172.422 would be revised to read as follows:

§ 172.422 SPONTANEOUSLY COMBUSTIBLE label.

(a) Except for size and color, the SPONTANEOUSLY COMBUSTIBLE label must be as follows:

(b) In addition to complying with § 172.407, the background color on the lower half of the SPONTANEOUSLY COMBUSTIBLE label must be red and the upper half must be white.

44. Section 172.423 would be revised to read as follows:

§ 172.423 DANGEROUS WHEN WET label.

(a) Except for size and color, the DANGEROUS WHEN WET label must be as follows:

(b) In addition to complying with § 172.407, the background color on the DANGEROUS WHEN WET label must be blue.

45. Section 172.426 would be revised as follows:

§ 172.426 OXIDIZER label.

(a) Except for size and color, the OXIDIZER label must be as follows:

(b) In addition to complying with § 172.407, the background color on the OXIDIZER label must be yellow.

46. Section 172.427 would be revised to read as follows:

§ 172.427 ORGANIC PEROXIDE label.

(a) Except for size and color, the ORGANIC PEROXIDE label must be as follows:

(b) In addition to complying with § 172.407, the background color on the ORGANIC PEROXIDE label must be yellow.

47. Section 172.430 would be revised as follows:

§ 172.430 POISON label.

(a) Except for size and color, the POISON label must be as follows:

(b) In addition to complying with § 172.407, the background on the POISON label must be white.

48. A new § 172.431 would be added to read as follows:

§ 172.431 KEEP AWAY FROM FOOD label.

(a) Except for size and color, the KEEP AWAY FROM FOOD label must be as follows:

(b) In addition to complying with § 172.407, the background on the KEEP AWAY FROM FOOD label must be white.

49. Section 172.432 would be revised to read as follows:

§ 172.432 INFECTIOUS SUBSTANCE label.

(a) Except for size and color, the INFECTIOUS SUBSTANCE label must be as follows:

(b) In addition to complying with § 172.407, the background on the INFECTIOUS SUBSTANCE label must be white.

50. Section 172.436 would be revised to read as follows:

§ 172.436 RADIOACTIVE WHITE-I label.

(a) Except for size and color, the RADIOACTIVE WHITE-I label must be as follows:

(b) In addition to complying with § 172.407, the background on the RADIOACTIVE WHITE-I label must be white. The printing and symbol must be black, except for the "I" which must be red.

51. Section 172.438 would be revised to read as follows:

§ 172.438 RADIOACTIVE YELLOW-II label.

(a) Except for size and color, the RADIOACTIVE YELLOW-II must be as follows:

(b) In addition to complying with § 172.407, the background color on the RADIOACTIVE YELLOW-II label must be yellow in the top half and white in the lower half. The printing and symbol must be black, except for the "II" which must be red.

52. Section 172.440 would be revised to read as follows:

§ 172.440 RADIOACTIVE YELLOW-III label.

(a) Except for size and color, the RADIOACTIVE YELLOW-III label must be as follows:

(b) In addition to compying with § 172.407, the background color on the RADIOACTIVE YELLOW-III label must be yellow in the top half and white in the lower half. The printing and symbol must be black, except for the "III" which must be red.

53. Section 172.442 would be revised to read as follows:

§ 172.442 CORROSIVE label.

(a) Except for size and color, the CORROSIVE label must be as follows:

(b) In addition to complying with § 172.407, the background on the CORROSIVE label must be white in the top half and black in the lower half.

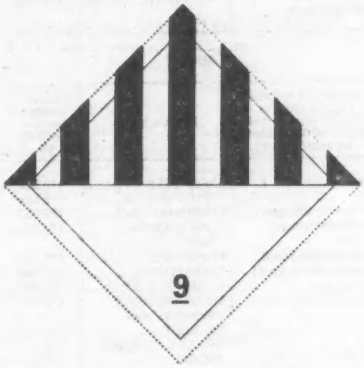
§ 172.444 [Amended]

54. In § 172.444, paragraphs (b) and (c) would be removed.

55. Section 172.446 would be added to read as follows:

§ 172.446 CLASS 9 label.

(a) Except for size and color, the CLASS 9 (miscellaneous hazardous materials) label must be as follows:



(b) In addition to complying with § 172.407, the background on the CLASS 9 label must be white with seven black vertical stripes on the top half. The black vertical stripes must be spaced, so that, visually, they appear equal in width to the six white spaces between them. The lower half of the label must be white with the class number 9 underlined and centered at the bottom.

56. Section 172.448 would be revised to read as follows:

§ 172.448 CARGO AIRCRAFT ONLY label.

(a) Except for size and color, the CARGO AIRCRAFT ONLY label must be as follows:

(b) The CARGO AIRCRAFT ONLY label must be black on an orange background.

Subpart F—Placarding

57. Section 172.500 would be revised to read as follows:

§ 172.500 Applicability of placarding requirements.

(a) Each person who offers for transportation or transports any hazardous material subject to this subchapter shall comply with the applicable placarding requirements of this subpart.

(b) This subpart does not apply to—

(1) Infectious substances;

(2) Hazardous materials classed as ORM–D or E or Class 9;

(3) Hazardous materials authorized by this subchapter to be offered for transportation as Limited Quantities when identified as such on shipping papers in accordance with § 172.203(b);

(4) Hazardous materials which are packaged as small quantities under the provisions of § 173.4 of this subchapter; and

(5) Combustible liquids in non-bulk packagings.

58. Section 172.502 would be revised to read as follows:

§ 172.502 Prohibited and permissive placarding.

(a) *Prohibited placarding.* Except as provided in paragraph (c) of this section, no person may affix or display on a bulk packaging, freight container, unit load device, motor vehicle or rail car any placard described in this subpart unless—

(1) The material being offered or transported is a hazardous material, and

(2) The placard represents a hazard of the hazardous material being offered or transported.

(b) No person may affix or display any sign or other device on a bulk packaging, freight container, unit load device, motor vehicle or rail car, that by its color, design, shape or content could be confused with any placard prescribed in this subpart.

(c) *Exceptions.* The restrictions in paragraphs (a) and (b) of this section do not apply to a bulk packaging, freight container, unit load device, motor vehicle or rail car which is placarded in conformance with the TDG Regulations, the IMDG Code or the UN Recommendations.

(d) The restrictions of paragraph (b) of this section do not apply to the display of an identification number on a white square-on-point configuration in accordance with § 172.336(b).

(e) *Permissive placarding.* Placards may be displayed for a hazardous material in accordance with this subpart even when not required if—

(1) The material and placards conform to the requirements of paragraph (a) of this section, and

(2) Neither an identification number, hazard class nor division number is displayed on a placard corresponding to a subsidiary hazard of the hazardous material.

59. Section 172.504 would be revised to read as follows:

§ 172.504 General placarding requirements.

(a) *General.* Except as otherwise provided in this subchapter, each bulk packaging, freight container, unit load device, motor vehicle or rail car containing any quantity of a hazardous material must be placarded on each side and each end with the type of placards specified in Tables 1 and 2 of this section and in accordance with other placarding requirements of this subpart, including the specifications for the placards named in the tables and described in detail in §§ 172.519 through 172.558.

(b) *DANGEROUS placard.* A freight container, unit load device, motor vehicle or rail car which contains non-bulk packagings with two or more categories of hazardous materials that require different placards specified in Table 2 may be placarded with DANGEROUS placards instead of the separate placarding specified for each of the materials in Table 2. However, when 5,000 pounds (2,267.9 Kg) or more of one category of material is loaded therein at one loading facility, the placard specified in Table 2 for that category must be applied.

(c) *Exception for less than 1,000 pounds.* For non-bulk packagings, when the gross weight of all hazardous materials covered by Table 2 is less than 1000 pounds (453.6 Kg), no placard is required on a freight container, unit load device, motor vehicle, or rail car for the Table 2 materials. This paragraph does not apply to transportation by aircraft or vessel, or to transport vehicles, freight containers and unit load devices subject to § 172.505.

(d) *Exception for empty non-bulk packages.* A non-bulk packaging that contains only the residue of a hazardous material covered by Table 2 of paragraph (e) of this section need not be included in determining placarding requirements.

(e) *Placarding tables.* Placards are specified for hazardous materials in accordance with the following tables:

TABLE 1

Category of material (hazard class or division number and additional description, as appropriate)	Placard name	Placard design section reference(§)
1.1	EXPLOSIVES 1.1	172.522
1.2	EXPLOSIVES 1.2	172.522
1.3	EXPLOSIVES 1.3	172.522
2.3 (poisonous gas)	POISON GAS	172.540
4.3	DANGEROUS WHEN WET.	172.548
6.1 (PG I inhalation hazard only).	POISON	172.554
7 (Radioactive Yellow III label only).	RADIOACTIVE	172.556

TABLE 2

Category of material (Hazard class or division number and additional description, as appropriate)	Placard name	Placard design section reference (§)
1.4	EXPLOSIVES 1.4	172.523
1.5	EXPLOSIVES 1.5	172.524
2.1 (flammable gas)	FLAMMABLE GAS	172.532
2.2 (nonflammable gas).	NON-FLAMMABLE GAS.	172.528
3 (flammable liquid)	FLAMMABLE	172.542
3 (combustible liquid)	COMBUSTIBLE	172.544
4.1	FLAMMABLE SOLID	172.546
4.2	SPONTANEOUSLY COMBUSTIBLE.	172.547
5.1	OXIDIZER	172.550
5.2	ORGANIC PEROXIDE	172.552
6.1 (PG I or II, other than PG I inhalation hazard).	POISON	172.554
6.1 (PG III)	(None)	
6.2	(None)	
8	CORROSIVE	172.558
9	(None)	
ORM-D	(None)	
ORM-E	(None)	

(f) *Additional placarding exceptions.* (1) An EXPLOSIVES 1.2 placard is not required for Division 1.2 explosives on a motor vehicle, rail car, freight container or unit load device which contains Division 1.1 explosives, and is placarded with EXPLOSIVES 1.1 placards, as required.

(2) A FLAMMABLE placard may be used in place of a COMBUSTIBLE placard on a cargo tank, a portable tank or a compartmented tank car which contains both flammable and combustible liquids.

(3) A NON-FLAMMABLE GAS placard is not required on a motor vehicle which contains non-flammable gas if the motor vehicle also contains flammable gas and it is placarded with FLAMMABLE GAS placards, as required.

(4) An EXPLOSIVES 1.4, 1.5 or OXIDIZER placard is not required for Division 1.4, 1.5 or 5.1 materials on a freight container, unit load device, motor vehicle or rail car which also contains Division 1.1 or 1.2 explosives and is placarded with EXPLOSIVES 1.1 or 1.2 placards, as required.

(5) For transportation by motor vehicle or rail car only, an OXIDIZER placard is not required for Division 5.1 materials on a motor vehicle, rail car or freight container which also contains Division 1.5 explosives and is placarded with EXPLOSIVES 1.5 placards, as required.

(6) An EXPLOSIVES 1.4 placard is not required for Division 1.4, Compatibility Group S, materials.

60. Section 172.505 would be revised to read as follows:

§ 172.505 Multiple placarding.

(a) Each transport vehicle, portable tank, freight container or unit load device that contains a poisonous material subject to the "Poison-Inhalation Hazard" shipping description of § 172.203(k)(4) shall be placarded with POISON or POISON GAS placards, as appropriate, on each side and each end, in addition to the placards required by § 172.504. This requirement does not apply to non-bulk packages having primary receptacles of one liter (1.06 quarts) or less. Duplication of the POISON or POISON GAS placard is not required.

(b) Each transport vehicle, portable tank or freight container that contains 1,000 pounds (453.6 kg) or more gross weight of fissile or low specific activity uranium hexafluoride shall be placarded with RADIOACTIVE and CORROSIVE placards on each side and each end.

(c) Each transport vehicle, portable tank, freight container or unit load device that contains a material which has a subsidiary hazard of being dangerous when wet, as defined in § 173.124, shall be placarded with DANGEROUS WHEN WET placards, on each side and each end, in addition to the placards required by § 172.504.

§ 172.508 [Amended]

61. In paragraph (a) of § 172.508, the phrase "§§ 172.502 and 172.504 as these sections pertain to placarding the rail car" would be revised to read "this subpart."

62. In § 172.510 paragraph (b) would be removed and reserved and paragraph (a) would be revised to read as follows:

§ 172.510 Special placarding provisions: Rail.

(a) *Square background required.* (1) Each EXPLOSIVES 1.1 and EXPLOSIVES 1.2 placard affixed to a rail car must be placed on a square background as described in § 172.527.

(2) Each POISON, POISON-RESIDUE, POISON GAS, AND POISON GAS-RESIDUE placard affixed to a rail car containing a material which meets Division 2.3 or 6.1, Packing Group I, criteria for inhalation toxicity (see § 173.133 of this subchapter) must be placed on a square background as described in § 172.527.

(b) [Reserved]

* * * * *

§ 172.512 [Amended]

63. In § 172.512 the following changes would be made:

a. In paragraph (a)(1), the section reference "§ 172.504(c)(1)" would be revised to read "§ 172.504(c)".

b. In paragraph (a)(2), the phrase "paragraphs (c)(1) and (c)(2)" would be revised to read "paragraph (c)".

c. In paragraphs (b)(1) and (b)(2), the section references "§ 172.406(e)(3)" and "§ 172.406(e)", respectively, would be revised to read "Subpart E of this part, including § 172.406(e)."

64. Section 172.514 would be revised to read as follows:

§ 172.514 Bulk packagings other than tank cars.

(a) Each person who offers for transportation a bulk packaging, other than a tank car, which contains a hazardous material shall affix the placards specified for the material in §§ 172.504 and 172.505. However, a portable tank having a capacity of less than 1,000 gallons (3,785.4 liters)—

(1) May be placarded on only two opposite sides; or

(2) May be labeled instead of placarded, in accordance with Subpart E of this part.

(b) Each bulk packaging, other than a tank car, that is required to be placarded when it contains a hazardous material, must remain placarded when it is emptied, unless it is—

(1) Sufficiently cleaned of residue and purged of vapors to remove any potential hazard; or

(2) Refilled, with a material requiring different placards or no placards, to such an extent that any residue remaining in the packaging is no longer hazardous.

65. In § 172.516, the introductory text of paragraph (c) would be revised and subparagraph (c)(7) would be added to read as follows:

§ 172.516 Visibility and display of placards.

* * * * *

(c) Each placard on a transport vehicle, bulk packaging, freight container or aircraft unit load device must—

* * * * *

(7) Be affixed to a background of contrasting color, or must have a dotted or solid line outer border which contrasts with the background color.

* * * * *

66. Section 172.519 would be revised to read as follows:

§ 172.519 General specifications for placards.

(a) *Strength and durability.* Placards must conform to the following:

(1) A placard may be made of any plastic, metal or other material capable of withstanding, without deterioration or a substantial reduction in effectiveness, a 30-day exposure to open weather conditions.

(2) Each placard must be able to pass a 60 p.s.i. Mullen test.

(3) A placard made of tagboard must be at least equal to that designated commercially as white tagboard. Tagboard must have a weight of at least 175 pounds (90.7 kg) per ream of 24 by 36-inch (61.0 by 91.4 cm) sheets, waterproofing materials included.

(4) Reflective or retroreflective materials may be used on a placard if the prescribed colors, strength and durability are maintained.

(b) *Design.* (1) Except as provided in § 172.332, each placard must be as described in this subpart, and except for size and color, the printing, inner border and symbol must be as shown in §§ 172.521 through 172.558, as appropriate.

(2) The dotted line border shown on each placard is not part of the placard specification. However, a dotted or solid line outer border may be used when needed to indicate the full size of a placard that is part of a larger format or is on a background of a non-contrasting color.

(3) For Classes 2, 3, 4, 5, 6 or 8, text indicating a hazard (for example, "FLAMMABLE") is not required.

(4) For a placard corresponding to the primary hazard class of a material, the hazard class or division number must be displayed in the lower corner of the placard. However, no hazard class or division number may be displayed on a placard corresponding to a subsidiary hazard of the material.

(c) *Size.* (1) Each placard prescribed in this subpart must measure 273mm (10.75 inches) on each side and must have a solid line inner border 12.7mm (0.5 inches) from each edge.

(2) Except as otherwise provided in this subpart, the hazard class or division number, as appropriate, must be shown in numerals measuring at least 41.0mm (1.62 inches) in height.

(3) Except as otherwise provided in this subpart, when text indicating a hazard is displayed on a placard, the printing must be in letters measuring at least 45.0mm (1.77 inches) in height.

(d) *Color.* (1) The background color, symbol, text, numerals and inner border on a placard must be as specified in §§ 172.521 through 172.558, as appropriate.

(2) Black and any color on a placard must be able to withstand, without substantial change—

(i) A 72-hour fadeometer test (for a description of equipment designed for this purpose, see ASTM G 23–69 (1975) or ASTM G 26–70); and

(ii) A 30-day exposure to open weather.

(3) Upon visual examination, a color on a placard must fall within the color tolerances displayed on the appropriate Office of Hazardous Materials Label and Placard Color Tolerance Chart (see § 172.407(d)(4)).

(4) The placard color must extend to the inner border and may extend to the edge of the placard in the area designated on each placard except the color on the CORROSIVE and RADIOACTIVE placards (black and yellow, respectively) must extend only to the inner border.

(e) *Form identification.* A placard may contain form identification infor-mation, including the name of its maker, provided that information is printed outside of the solid line inner border in no larger than 10-point type.

(f) *Exceptions.* A placard conforming to specifications in the UN Recommendations or the TDG Regulations may be used in place of a corresponding placard which conforms to the requirements of this subpart.

67. Section 172.522 would be revised to read as follows:

§ 172.522 EXPLOSIVES 1.1, EXPLOSIVES 1.2 and EXPLOSIVES 1.3 placards.

(a) Except for size and color, the EXPLOSIVES 1.1, EXPLOSIVES 1.2 and

EXPLOSIVES 1.3 placards must be as follows:

(b) In addition to complying with § 172.519, the background color on the EXPLOSIVES 1.1, EXPLOSIVES 1.2 and EXPLOSIVES 1.3 placards must be orange. The "*" shall be replaced with the appropriate division number. The symbol, text, numerals and inner border must be black.

68. Section 172.523 would be revised to read as follows:

§ 172.523 EXPLOSIVES 1.4 placard.

(a) Except for size and color, the EXPLOSIVES 1.4 placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the EXPLOSIVES 1.4 placard must be orange. The division numeral, 1.4, must measure at least 63.5mm (2.5 inches) in height. The text, numerals and inner border must be black.

69. Section 172.524 would be revised to read as follows:

§ 172.524 EXPLOSIVES 1.5 placard.

(a) Except for size and color, the EXPLOSIVES 1.5 placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the EXPLOSIVES 1.5 placard must be orange. The division numeral, 1.5, must measure at least 63.5mm (2.5 inches) in height. The text, numerals and inner border must be black.

70. Section 172.528 would be revised to read as follows:

§ 172.528 NON-FLAMMABLE GAS placard.

(a) Except for size and color, the NON-FLAMMABLE GAS placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the NON-FLAMMABLE GAS placard must be green. The letters in both words must be at least 38.1mm (1.5 inches) high. The symbol, text, class number and inner border must be white.

§ 172.530 [Removed]

71. Section 172.530 would be removed.

72. Section 172.532 would be revised to read as follows:

§ 172.532 FLAMMABLE GAS placard.

(a) Except for size and color, the FLAMMABLE GAS placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the FLAMMABLE GAS placard must be red. The symbol, text, class number and inner border must be white.

§ 172.536 [Removed]

73. Section 172.536 would be removed.

74. Section 172.540 would be revised to read as follows:

§ 172.540 POISON GAS placard.

(a) Except for size and color, the POISON GAS placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the

POISON GAS placard must be white. The symbol, text, class number and inner border must be black.

75. Section 172.542 would be revised to read as follows:

§ 172.542 FLAMMABLE placard.

(a) Except for size and color, the FLAMMABLE placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the FLAMMABLE placard must be red. The symbol, text, class number and inner border must be white.

(c) The word "GASOLINE" may be used in place of the word "FLAMMABLE" on a placard that is displayed on a cargo tank or a portable tank being used to transport gasoline by highway. The word "GASOLINE" must be shown in white.

76. Section 172.544 would be revised to read as follows:

§ 172.544 COMBUSTIBLE placard.

(a) Except for size and color, the COMBUSTIBLE placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the COMBUSTIBLE placard must be red. The symbol, text, class number and inner border must be white. On a COMBUSTIBLE placard with a white bottom as prescribed by § 172.332(c)(4), the class number must be red or black.

(c) The words "FUEL OIL" may be used in place of the word "COMBUSTIBLE" on a placard that is displayed on a cargo tank or portable tank being used to transport by highway, fuel oil that is not classed as a flammable liquid. The words "FUEL OIL" must be shown in white.

77. Section 172.546 would be revised to read as follows:

§ 172.546 FLAMMABLE SOLID placard.

(a) Except for size and color, the FLAMMABLE SOLID placard must be as follows:

(b) In addition to complying with § 172.519, the background on the FLAMMABLE SOLID placard must be white with seven vertical red stripes. The stripes must be equally spaced, with one red stripe placed in the center of the label. Each red stripe and each white space between two red stripes must be 25.4mm (1.0 inches) wide. The letters in the word "SOLID" must be at least 38.1mm (1.5 inches) high. The symbol, text, class number and inner border must be black.

78. A new § 172.547 would be added to read as follows:

§ 172.547 SPONTANEOUSLY COMBUSTIBLE placard.

(a) Except for size and color, the SPONTANEOUSLY COMBUSTIBLE placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the SPONTANEOUSLY COMBUSTIBLE placard must be red in the lower half and white in upper half. The letters in the word "SPONTANEOUSLY" must be at least 25.0 mm (0.98 inches) high. The symbol, text, class number and inner border must be black.

79. Section 172.548 would be revised to read as follows:

§ 172.548 DANGEROUS WHEN WET placard.

(a) Except for size and color, the DANGEROUS WHEN WET placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the DANGEROUS WHEN WET placard must be blue. The letters in the words "WHEN WET" must be at least 25.4mm (1.0 inches) high. The symbol, text, class number and inner border must be white.

80. Section 172.550 would be revised to read as follows:

§ 172.550 OXIDIZER placard.

(a) Except for size and color, the OXIDIZER placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the OXIDIZER placard must be yellow. The symbol, text, division number and inner border must be black.

81. Section 172.552 would be revised to read as follows:

§ 172.552 ORGANIC PEROXIDE placard.

(a) Except for size and color, the ORGANIC PEROXIDE placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the ORGANIC PEROXIDE placard must be yellow. The symbol, text, division number and inner border must be black.

82. Section 172.554 would be revised to read as follows:

§ 172.554 POISON placard.

(a) Except for size and color, the POISON placard must be as follows:

(b) In addition to complying with § 172.519, the background on the POISON placard must be white. The symbol, text, class number and inner border must be black.

83. Section 172.556 would be revised to read as follows:

§ 172.556 RADIOACTIVE placard.

(a) Except for size and color, the RADIOACTIVE placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the RADIOACTIVE placard must be white in the lower portion with a yellow triangle in the upper portion. The base of the yellow triangle must be 28.6mm ±5mm (1.13 inches ±0.20 inches) above the placard horizontal center line. The symbol, text, class number and inner border must be black.

84. Section 172.558 would be revised to read as follows:

§ 172.558 CORROSIVE placard.

(a) Except for size and color, the CORROSIVE placard must be as follows:

(b) In addition to complying with § 172.519, the background color on the CORROSIVE placard must be black in the lower portion with a white triangle in the upper portion. The base of the white triangle must be 38.1mm ±5mm (1.5 inches) above the placard horizontal center line. The text and class number must be white. The symbol and inner border must be black.

Appendix B—[Reserved]

85. Appendix B to Part 172 would be removed and reserved.

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

86. The authority citation for Part 173 would continue to read as follows:

Authority: 49 U.S.C. 1803, 1804, 1805, 1806, 1807, 1808; 49 CFR Part 1, unless otherwise noted.

87. In § 173.1, paragraph (d) would be added as follows:

§ 173.1 Purpose and scope.

* * * * *

(d) In general, the Hazardous Materials Regulations (HMR) contained in this subchapter are based on the Recommendations of the United Nations Committee of Experts on the Transport of Dangerous Goods and are consistent with international regulations issued by the International Civil Aviation Organization and the International Maritime Organization. However, the HMR are not consistent in all respects with the UN Recommendations, the ICAO Technical Instructions or the IMDG Code, and compliance with the HMR will not guarantee acceptance by regulatory bodies outside of the United States.

88. Section 173.2 would be revised as follows:

§ 173.2 Hazardous materials classes and index to hazard class definitions.

The hazard class of a hazardous material is indicated either by its class (or division) number, its class name, or by the letters "ORM–D" or "ORM–E". The following table lists class numbers, division numbers, class or division names and those sections of this subchapter which contain definitions for classifying hazardous materials, including forbidden materials.

Class number	Division number (if any)	Name of class or division	49 CFR reference for definitions
None		Forbidden materials	173.21
None		Forbidden explosives	173.53
1	1.1	Explosives (with a mass explosion hazard).	173.50
1	1.2	Explosives (with a projection hazard).	173.50
1	1.3	Explosives (with predominately a fire hazard).	173.50
1	1.4	Explosives (with no significant blast hazard).	173.50
1	1.5	Very insensitive explosives; blasting agents.	173.50
2	2.1	Flammable gas	173.115
2	2.2	Non-flammable compressed gas.	173.115
2	2.3	Poisonous gas	173.115
3		Flammable and combustible liquids.	173.120
4	4.1	Flammable solids	173.124
4	4.2	Spontaneously combustible materials.	173.124
4	4.3	Dangerous when wet materials.	173.124
5	5.1	Oxidizers	173.128
5	5.2	Organic peroxides	173.128
6	6.1	Poisonous materials	173.132
6	6.1	Irritating materials	173.381
6	6.2	Etiologic or infectious substances.	173.134
7		Radioactive materials	173.403
8		Corrosive materials	173.136
9		Miscellaneous hazardous materials.	173.140
None		Other regulated materials. ORM–D and ORM–E.	173.144

89. Section 173.2a would be added to read as follows:

§ 173.2a Classification of a material having more than one hazard.

(a) *Materials not subject to precedence of hazard ranking.* (1) A material with more than one hazard which is specifically identified and classed in the § 172.101 Table is not subject to the precedence of hazard ranking of this section (unless that material does not pose the hazard of the class assigned in the § 172.101 Table, and is not preceded, in Column 1 of the Table, with a "+" symbol).

(2) *Class 1.* An explosive shall be classed and approved in accordance with Subpart C of this part.

(3) *Division 5.2.* A material meeting the definition in § 173.128 for organic peroxide shall be classed in Division 5.2.

(4) *Division 6.2.* A material meeting the definition in § 173.134 for etiologic agent shall be classed in Division 6.2.

(5) *Class 7-limited quantities.* A limited quantity radioactive material that meets the definitions for more than one hazard class shall be classed in accordance with § 173.421–2.

(b) *Precedence of hazard.* Except as otherwise provided in this section, a material meeting the definitions for more than one hazard class as defined in this part shall be classed according to the highest applicable hazard class of the following hazard classes, which are listed in descending order of hazard:

(1) Class 7 (radioactive materials, except limited quantities).

(2) Division 2.3 (poisonous gases).

(3) Division 2.1 (flammable gases).

(4) Division 2.2 (nonflammable gases).

(5) Class 3 (flammable liquids and combustible liquids) or 8 (corrosive materials) or Division 4.1 (flammable solids), 4.2 (spontaneously combustible materials), 4.3 (dangerous when wet materials), 5.1 (oxidizers) or 6.1 (poisonous liquids or solids). Materials meeting more than one of these hazards shall be assigned a hazard class in accordance with paragraph (c) of this section.

(6) Class 9 (miscellaneous hazardous materials).

(7) ORM–E (hazardous wastes and hazardous substances).

(c) *Precedence of hazard table.* A material meeting the definitions for more than one hazard class for Classes 3 and 8 and Divisions 4.1, 4.2, 4.3, 5.1 and 6.1 shall be assigned a hazard class based on the following table:

PRECEDENCE OF HAZARD TABLE

[Hazard Class and Packing Group]

Hazard Class and packing group	4.2	4.3	5.1 * I	5.1 * II	5.1 * III	6.1 I(i)	6.1 I(d)	6.1 I(o)	6.1 II	6.1 III	8 I(l)	8 I(s)	8 II(l)	8 II(s)	8 III(l)	8 III(s)
3 I			3	3	3	6.1	3	3	3	3	3	(1)	3	(1)	3	(1)
3 II			3	3	3	6.1	3	3	3	3	8	(1)	3	(1)	3	(1)
3 III			3	3	3	6.1	6.1	6.1	6.1	(2)3	8	(1)	8	(1)	3	(1)
4.1 I *	4.2	4.3	4.1	4.1	4.1	6.1	6.1	4.1	4.1	4.1	(1)	4.1	(1)	4.1	(1)	4.1
4.1 II **	4.2	4.3	4.1	4.1	4.1	6.1	6.1	6.1	4.1	4.1	(1)	4.1	(1)	4.1	(1)	4.1
4.1 III **	4.2	4.3	4.1	4.1	4.1	6.1	6.1	6.1	6.1	4.1	(1)	8	(1)	8	(1)	4.1
4.2 I		4.2	4.2	4.2	4.2	6.1	4.2	4.2	4.2	4.2	4.2	4.2	4.2	4.2	4.2	4.2
4.2 II		4.2	4.2	4.2	4.2	6.1	6.1	4.2	4.2	4.2	4.2	8	4.2	4.2	4.2	4.2
4.2 III		4.3	5.1	5.1	4.2	6.1	6.1	6.1	6.1	4.2	8	8	8	8	4.2	4.2
4.3 I			5.1	4.3	4.3	6.1	6.1	4.3	4.3	4.3	4.3	4.3	4.3	4.3	4.3	4.3
4.3 II			5.1	4.3	4.3	6.1	6.1	4.3	4.3	4.3	8	8	4.3	4.3	4.3	4.3

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PRECEDENCE OF HAZARD TABLE—Continued

[Hazard Class and Packing Group]

Hazard Class and packing group	4.2	4.3	5.1 * I	5.1 * II	5.1 * III	6.1 I(i)	6.1 I(d)	6.1 I(o)	6.1 II	6.1 III	8 I(l)	8 I(s)	8 II(l)	8 II(s)	8 III(l)	8 III(s)
4.3 III			5.1	5.1	4.3	6.1	6.1	6.1	6.1	4.3	8	8	8	8	4.3	4.3
5.1 I *						6.1	6.1	5.1	5.1	5.1	5.1	5.1	5.1	5.1	5.1	5.1
5.1 II *						6.1	6.1	5.1	5.1	5.1	8	8	5.1	5.1	5.1	5.1
5.1 III *						6.1	6.1	6.1	6.1	5.1	8	8	8	8	5.1	5.1
6.1 I(i)											6.1	6.1	6.1	6.1	6.1	6.1
6.1 I(d)											8	6.1	6.1	6.1	6.1	6.1
6.1 I(o)											8	6.1	6.1	6.1	6.1	6.1
6.1 II(i)											8	6.1	6.1	6.1	6.1	6.1
6.1 II(d)											8	6.1	8	6.1	6.1	6.1
6.1 II(o)											8	8	8	6.1	6.1	6.1
6.1 III											8	8	8	8	8	8

(i) Inhalation Toxicity
(d) Dermal Toxicity
(o) Oral Toxicity
(l) Liquid
(s) Solid
[1] An impossible combination.
[2] For pesticides only, 6.1.
* There are no established criteria for determining packing groups for liquids in Division 5.1. Degree of hazard for these materials should be assessed by analogy with similar materials identified in the § 172.101 Table, allocating the materials to Packing Group I (high hazard), Packing Group II (medium hazard) or Packing Group III (low hazard).
** Materials in Division 4.1 other than self-reactive materials and water wetted explosives.

90. Section 173.3 would be revised to read as follows:

§ 173.3 Packaging and exceptions.

(a) The packaging of hazardous materials for transportation by air, highway, rail, or water must be as specified in this part. Methods of manufacture, packing, and storage of hazardous materials, that affect safety in transportation, must be open to inspection by a duly authorized representative of the initial carrier or of the Department. Methods of manufacture and related functions necessary for completion of a DOT specification or UN standard packaging must be open to inspection by a representative of the Department.

(b) The regulations setting forth packaging requirements for a specific material apply to all modes of transportation unless otherwise stated, or unless exceptions from packaging requirements are authorized.

(c) *Salvage drums.* Packages of hazardous materials that are damaged or found leaking and hazardous materials that have spilled or leaked may be placed in a metal or plastic removable head salvage drum that is compatible with the lading and shipped for repackaging or disposal under the following conditions:

(1) The drum must be a UN 1A2, 1B2, 1N2 or 1H2 drum marked for the performance standard commensurate with the packing group of the material it is to contain. Maximum capacity of the drum may not exceed 450 liters (118.88 gallons).

(2) Each drum shall be provided when necessary with sufficient cushioning and absorption material to prevent excessive movement of the damaged package and to absorb all free liquid. All cushioning and absorbent material used in the drum must be compatible with the hazardous material.

(3) Each drum shall be marked with the proper shipping name of the material inside the defective packaging and the name and address of the consignee. In addition, the drum shall be marked "Salvage Drum".

(4) Each drum shall be labeled as prescribed for the respective material.

(5) The shipper shall prepare shipping papers in accordance with Subpart C of Part 172 of this subchapter.

(6) The overpack requirement of § 173.25 does not apply to drums used in accordance with this paragraph.

91. Section 173.3a would be revised to read as follows:

§ 173.3a Poisonous liquids which are toxic by inhalation.

Notwithstanding the requirements of Part 172 and Part 173 of this subchapter, any hazardous material that meets the definition of Class 6, Division 6.1, Packing Group I, for inhalation toxicity (See §§ 173.132 and 173.133) shall be packaged in non-bulk packagings in accordance with § 173.226 or § 173.227, as appropriate, or in bulk packagings in accordance with § 173.244 and shall be described on shipping papers, marked, labeled, and placarded in accordance with §§ 172.203(k)(4), 172.313(a), 172.402(a)(5) and 172.505(a), of this subchapter respectively.

92. Section 173.4 would be revised to read as follows:

§ 173.4 Exceptions for small quantities.

(a) Small quantities of Class 3, Division 4.1, Division 5.1, Division 5.2, Class 8, and Division 6.1 materials, and Class 7 materials that also meet the definition of one or more of these hazard classes, are not subject to any other requirements of this subchapter if:

(1) The maximum quantity of material per inner receptacle is limited to:

(i) Thirty (30) milliliters for authorized liquids, other than Division 6.1, Packing Group I, materials;

(ii) Thirty (30) grams for authorized solids, other than Division 6.1, Packing Group I, materials;

(iii) One (1) gram for authorized materials classed as Division 6.1, Packing Group I; and

(iv) An activity level not exceeding that specified in §§ 173.421, 173.422 or 173.424, as appropriate, for a package containing a Class 7 material.

(2) With the exception of temperature sensing devices, each inner receptacle:

(i) Is not liquid-full at 55 °C (131 °F), and

(ii) Is constructed of plastic having a minimum thickness of no less than 0.008-inch (0.2 millimeters), or earthenware, glass, or metal;

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(3) Each inner receptacle with a removable closure has its closure held securely in place with wire, tape, or other positive means;

(4) Unless equivalent cushioning and absorbent material surrounds the inside packaging, each inner receptacle is securely packed in an inside packaging with cushioning and absorbent material that:

(i) Will not react chemically with the material, and

(ii) Is capable of absorbing the entire contents (if a liquid) of the receptacle;

(5) The inside packaging is securely packed in a strong outside packaging;

(6) The completed package, as demonstrated by prototype testing, is capable of sustaining—

(i) Each of the following free drops made from a height of 1.8 meters (5.91 feet) directly onto a solid unyielding surface without breakage or leakage from any inner receptacle and without a substantial reduction in the effectiveness of the package:

(A) One drop flat on bottom;

(B) One drop flat on top;

(C) One drop flat on the long side;

(D) One drop flat on the short side; and

(E) One drop on a corner at the junction of three intersecting edges; and

(ii) A compressive load in pounds, determined by multiplying by two the maximum horizontal cross section of the package (in square inches) in the position in which it would normally be transported, without a substantial reduction in effectiveness; the load shall be applied continuously during a period of 24 hours, uniformly against the top and bottom of the package which is in the position in which it is intended to be normally transported.

Note.—Each of the above tests may be performed on a different, but identical, package; i.e., all tests need not be performed on the same package.

(7) Placement of the material in the package or packing different materials in the package does not result in a violation of § 173.21;

(8) The gross weight of the completed package does not exceed 65 pounds (29.5 kg);

(9) The shipper certifies conformance with this section by marking the outside of the package with the statement: "This package conforms to conditions and limitations specified in 49 CFR 173.4";

(10) The package is not opened or otherwise altered until it is no longer in commerce; and

(11) The package, unless specifically approved by the Director, OHMT, does not contain a material assigned any of the following identification numbers associated with the hazardous materials description in the § 172.101 Table:

1052	1491	2626
1131	1504	2813
1259	1749	2845
1380	1798	2924
1397	1831	2925
1419	1873	9191
1422	2031	9193
1432	2032	
1433	2495	

(b) A package containing a Class 7 material also must conform with the requirements of § 173.421 (a) through (e), or § 173.422 (a) through (f), as appropriate. After May 2, 1987, a package containing a Class 7 material may not be offered for transportation aboard a passenger-carrying aircraft unless that material is intended for use in, or incident to, research, medical diagnosis or treatment.

§ 173.5 [Amended]

93. In § 173.5, quantity references would be revised as follows:

a. In paragraph (a)(2), the reference to "1 gallon" would be changed to "4 liters (4.2 quarts)" and the reference to "25 pounds" would be changed to "15 kg (33.1 pounds)".

b. In paragraph (a)(3) the reference to "100 pounds" would be changed to "50 kg (110.2 pounds)".

c. In paragraph (b) the reference to "55 gallons" would be changed to "220 L (58.1 gallons)".

§ 173.6 [Removed]

94. Section 173.6 would be removed.

§ 173.7 [Amended]

95. In § 173.7, in paragraphs (b) and (d), the word "radioactive" would be changed to "Class 7".

96. Section 173.9 would be revised as follows:

§ 173.9 Cars, truck bodies or trailers containing lading which has been fumigated or treated with Class 3, Division 2.1, 2.3, or 6.1 materials.

(a) Delivery for transportation by railcarrier of any rail car, freight container, truck body, or trailer containing lading which has been fumigated or treated with Class 3 or Division 2.1 materials is prohibited until 48 hours have elapsed after such fumigation or treatment, or until the railcar, freight container, truck body or trailer has been ventilated so as to remove any danger of fire or explosion due to the presence of flammable vapors.

(b) Any railcar, freight container, truck body or trailer containing lading which has been fumigated or treated with Division 6.1 or Division 2.3 materials, such as carbolic acid, liquid or solid, chlorpicrin, hydrocyanic acid, methyl bromide, etc., must be placarded on each door or near thereto with the FUMIGANT placard prescribed in paragraph (c) of this section.

(c) *FUMIGANT placard.* The FUMIGANT placard must consist of red letters on a white background which is at least 25 cm (9.8 inches) wide and 20 cm (7.9 inches) high. It must contain the name of the fumigant and other text as follows:

DANGER

The lading of this car has been
FUMIGATED or
TREATED
with

(Name of poisonous liquid, solid, or gas)

BEFORE UNLOADING, open both doors and DO NOT ENTER until car is free of gas. REMOVE ALL POISONOUS MATERIAL before release of empty car.

(d) See § 174.615 of this subchapter for requirements for cleaning fumigated cars.

§ 173.10 [Amended]

97. In § 173.10, terms would be revised as follows:

a. In paragraph (a) the term "flammable gas" would be changed to "Division 2.1 material" and the term "flammable liquid" would be changed to "Class 3 material".

b. In paragraph (b) the term "compressed gas" would be changed to "Class 2 material".

c. In paragraph (e), the phrase "Flammable liquids and flammable gases" would be changed to "Class 3 and Division 2.1 materials."

98. Section 173.12 would be revised to read as follows:

§ 173.12 Exceptions for shipment of waste materials.

(a) *Open head drums.* If a hazardous material that is a hazardous waste is required by this subchapter to be shipped in a closed head drum (i.e., a drum with a 7.0 cm (2.75 inches) or less bung opening) and the hazardous waste contains solids or semisolids that make its placement in a closed head drum impracticable, an equivalent (except for closure) open head drum may be used for the hazardous waste.

(b) *"Lab packs".* Waste materials classed as Class or Division 3, 4.1, 4.2, 4.3, 5.1, 6.1, 8, 9 or ORM–E are excepted

from the specification packaging requirements of this subchapter if packaged in combination packagings in accordance with this paragraph and transported for disposal or recovery by private or contract motor carrier by highway only. In addition, a generic description from the § 172.101 Table may be used in place of specific chemical names, when two or more chemically compatible waste materials in the same hazard class are packaged in the same outside packaging. Additional packaging requirements are as follows:

(1) The outer packaging must be a 1A2 or 1B2 metal drum, a 1D plywood drum, a 1G fiber drum or a 1H2 plastic drum;

(2) The inner packagings must be either glass not exceeding 4 liters (4.2 quarts) rated capacity or metal or plastic not exceeding 20 liters (21.1 quarts) rated capacity;

(3) Each outer packaging may contain only one class of hazardous material;

(4) Inner packagings containing liquid must be surrounded by a chemically compatible absorbent material in sufficient quantity to absorb the total liquid contents;

(5) Gross weight of the complete package may not exceed 205 kg (451.9 lbs); and

(6) Materials meeting the definition of Division 6.1, Packing Group I, or Division 4.2, Packing Group I, may not be packaged or described under the provisions of this paragraph.

(c) *Reuse of packagings.* A previously used packaging may be reused for the shipment of hazardous waste to designated facilities, not subject to the reconditioning and reuse provisions contained in § 173.28 and Part 178 of this subchapter, under the following conditions:

(1) Except as authorized by this paragraph, the waste must be packaged in accordance with this part and offered for transportation in accordance with the requirements of this subchapter.

(2) Transportation is performed by highway only.

(3) A package is not offered for transportation less than 24 hours after it is finally closed for transportation, and each package is inspected for leakage and is found to be free from leaks immediately prior to being offered for transportation.

(4) Each package is loaded by the shipper and unloaded by the consignee, unless the motor carrier is a private or contract carrier.

(5) The packaging may be used only once under this paragraph and may not be used again for shipment of hazardous materials except in accordance with § 173.28.

Subpart B—Preparation of Hazardous Materials for Transportation

99. Section 173.21 would be revised as follows:

§ 173.21 Forbidden materials and packages.

Unless otherwise provided in this subchapter, the offering for transportation or transportation of the following is forbidden:

(a) Materials that are designated "Forbidden" in Column 3 of the § 172.101 Table.

(b) Forbidden explosives as defined in § 173.51 of this part.

(c) Electrical devices which are likely to create sparks or generate a dangerous quantity of heat, unless packaged in a manner which precludes such an occurrence.

(d) For carriage by aircraft, any package which has a magnetic field of more than 0.00525 gauss measured at 15 feet (4.6 meters) from any surface of the package.

(e) A material in the same packaging, freight container, or overpack with another material, the mixing of which is likely to cause a dangerous evolution of heat, flammable or poisonous gases or vapors, or to produce corrosive materials.

(f) A package containing a material which is likely to decompose or polymerize at a temperature of 130 °F (54.4 °C) or less with an evolution of a dangerous quantity of heat or gas unless stabilized or inhibited in a manner that will preclude such evolution, subject to the following:

(1) For organic peroxides, the decomposition temperature of 130 °F (54.4 °C) does not apply if the controlled temperature requirements specified in Chapter 11 of the UN Recommendations are applied to determine when refrigeration is required, and refrigeration is approved as required by paragraph (f)(3) of this section.

(2) The determination of whether a material is forbidden under this paragraph may be made by using the Self Accelerating Decomposition Temperature (SADT) Test published by the Organic Peroxide Producers Safety Division (OPPSD).

(3) Refrigeration may be used as a means of stabilization only when approved by the Director, OHMT. For status of approvals previously issued by the Bureau of Explosives, see § 171.19 of this subchapter.

(g) Packages which give off a flammable gas or vapor, released from a material not otherwise subject to this subchapter, likely to create a flammable mixture with air in a transport vehicle.

(h) Packages containing materials (other than those classed as explosive) which will detonate in a fire.

(1) For purposes of this paragraph, "detonate" means an explosion in which the shock wave travels through the material at a speed greater than the speed of sound.

(2) When tests are required to evaluate the performance of a package under the provisions of this paragraph, the testing must be done or approved by one of the agencies specified in § 173.86.

(i) Except as noted in paragraph (i)(1) of this section, a package containing a cigarette lighter, or other similar device, equipped with an ignition element and containing fuel.

(1) A cigarette lighter or similar device subject to this paragraph may be shipped if the design of the device and its packaging has been examined by the Bureau of Explosives and specifically approved by the Director, OHMT. The examination of cigarette lighters and similar devices containing gaseous fuel will include scrutiny for compliance with § 173.308 of this part. For the status of approvals previously issued by the Bureau of Explosives, see § 171.19 of this subchapter.

100. In § 173.23, paragraph (a) would be revised as follows:

§ 173.23 Previously authorized packaging.

(a) When the regulations specify a packaging with a specification marking prefix of "DOT," a packaging marked prior to January 1, 1970, with the prefix of "ICC" may be used in its place if the packaging otherwise conforms to applicable specification requirements.

* * * * *

101. Section 173.24 would be revised as follows:

§ 173.24 General requirements for packagings and packages.

(a) *Applicability.* Except as otherwise provided in this subchapter, the provisions of this section apply to—

(1) Bulk and non-bulk packagings;

(2) New packagings and packagings which are reused; and

(3) Specification and non-specification packagings.

(b) Each package used for the shipment of hazardous materials under this subchapter shall be designed, constructed, maintained, filled, its contents so limited, and closed, so that under conditions normally incident to transportation—

(1) Except as otherwise provided in this subchapter, there will be no release of hazardous materials to the environment;

(2) The effectiveness of the packaging will not be significantly reduced; and

(3) There will be no mixture of gases or vapors in the package which could, through any credible spontaneous increase of heat or pressure, significantly reduce the effectiveness of the packaging.

(c) *Authorized packagings.* A packaging is authorized for a hazardous material only if—

(1) The packaging is prescribed or permitted for the hazardous material in a packaging section specified for that material in Column 8 of the § 172.101 Table and conforms to applicable requirements in the special provisions of Column 7 of the § 172.101 Table and, for specification packagings (including UN standard packagings), the specification requirements in Parts 178 and 179 of this subchapter; or

(2) The packaging is permitted under and conforms to provisions contained in §§ 171.11, 171.12, 171.12a, 173.3, 173.4, 173.5, 173.6, 173.7, or 176.11 of this subchapter.

(d) *DOT specification and UN standard packagings.* For DOT specification packagings (including UN standard packagings), conformance to the applicable specifications in Parts 178 and 179 of this subchapter is required in all details. For performance-oriented packagings covered by Subpart L of Part 178 of this subchapter, each packaging must be capable of meeting the performance test requirements specified in Subpart M of Part 178 of this subchapter for the applicable packing group shown in Column 5 of the § 172.101 Table.

(e) *Compatibility.* (1) Even though certain packagings are specified in this Part, it is, nevertheless, the responsibility of the person offering a hazardous material for transportation to ensure that such packagings are compatible with their lading. This particularly applies to corrosivity, permeability, softening, premature aging and embrittlement.

(2) Packaging materials and contents must be such that there will be no significant chemical or galvanic reaction between the materials and contents of the package.

(3) *Plastic packagings and receptacles.* (i) Plastic used in packagings and receptacles must be of a type compatible with the lading and may not be permeable to an extent that a hazardous condition is likely to occur during transportation, handling or refilling.

(ii) Each plastic packaging or receptacle which is used for liquid hazardous materials must be capable of withstanding without failure the procedure specified in Appendix B of this part ("Procedure for Testing Chemical Compatibility and Rate of Permeation in Plastic Packagings and Receptacles"). The maximum rate of permeation of hazardous lading through or into the plastic packaging or receptacles may not exceed 0.5 percent for materials meeting the definition of a Division 6.1 material according to § 173.132 and 2.0 percent for other hazardous materials, when subjected to a temperature no lower than—

(A) 18 °C (64 °F) for 180 days in accordance with Test Method 1;

(B) 50 °C (122 °F) for 28 days in accordance with Test Method 2; or

(C) 60 °C (140 °F) for 14 days in accordance with Test Method 3.

(iii) Alternative procedures or rates of permeation are permitted if they yield a level of safety equivalent to or greater than that provided by paragraph (e)(3)(ii) of this section and are specifically approved by the Director, OHMT.

(4) *Mixed contents.* (i) Hazardous materials may not be packed or mixed together in the same outer packaging with other hazardous or nonhazardous materials if such materials are capable of reacting dangerously with each other and causing—

(A) Combustion or dangerous evolution of heat;

(B) Evolution of flammable, poisonous or asphyxiant gases;

(C) Formation of corrosive materials; or

(D) Formation of unstable materials.

(f) *Closures.* (1) Closures on packagings shall be so designed and closed that under conditions (including the effects of temperature and vibration) normally incident to transportation—

(i) Except as provided in paragraph (g) of this section, there is no release of hazardous materials to the environment from the opening to which the closure is applied; and

(ii) The closure is secure and leakproof.

(2) Except as otherwise provided in this subchapter, a closure (including gaskets or other closure components, if any) used on a specification packaging must conform to all applicable requirements of the specification.

(g) *Venting.* Venting of packagings, to reduce internal pressure which may develop by the evolution of gas from the contents, is permitted only when—

(1) Transportation by aircraft is not involved;

(2) Except as otherwise provided in this subchapter, the evolved gases are not toxic, flammable or asphyxiant gases;

(3) The packaging is designed so as to preclude a significant release of hazardous materials from the receptacle; and

(4) For shipments in bulk packagings, venting is authorized for the specific hazardous material by a special provision in the § 172.101 Table or by the applicable bulk packaging specification in Part 178 of this subchapter.

(h) *Outage and filling limits—(1) General.* When filling packagings and receptacles for liquids, sufficient ullage (outage) must be left to ensure that neither leakage nor permanent distortion of the packaging or receptacle will occur as a result of an expansion of the liquid caused by temperatures likely to be encountered during transportation. Liquids must not completely fill a receptacle at a temperature of 55 °C (131 °F) or less.

(2) *Compressed gases and cryogenic liquids.* Filling limits for compressed gases and cryogenic liquids are specified in §§ 173.301 through 173.306 for cylinders and §§ 173.314 through 173.319 for bulk packagings.

(i) *Air transportation.* Packages offered or intended for transportation by aircraft must conform to the general requirements for transportation by aircraft in § 173.27.

102. Section 173.24a would be added, as follows:

§ 173.24a Additional general requirements for non-bulk packagings and packages.

(a) *Packaging design—(1) Closures.* A closure device must be so designed that it is unlikely that it can be incorrectly or incompletely closed, and must be such that it may be checked easily to determine that it is completely closed. Except as provided in § 172.312 of this subchapter, a combination packaging containing liquid hazardous materials must be packed so that closures on inner receptacles are upright.

(2) *Friction.* The nature and thickness of the outer packaging must be such that friction during transportation is not likely to generate an amount of heat sufficient to alter dangerously the chemical stability of the contents.

(3) *Securing and cushioning.* Inner packagings of combination packagings must be so packed, secured and cushioned to prevent their breakage or leakage and to control their movement within the outer packaging under conditions normally incident to transportation. Cushioning material must not be capable of reacting dangerously with the contents of the inner packagings.

(4) *Metallic devices.* Nails, staples and other metallic devices shall not protrude into the interior of the outer packaging in such a manner as to be likely to damage inner packagings or receptacles.

(5) *Vibration.* Each non-bulk package must be capable of withstanding, without rupture or leakage, the vibration test procedure specified in Appendix C of this Part ("Procedure for Base Level Vibration Testing").

(b) *Non-bulk packaging filling limits.* (1) A single or composite non-bulk packaging may be filled with a liquid hazardous material only when the specific gravity of the material does not exceed that marked on the packaging, or a specific gravity of 1.2 if not marked.

(2) A single or composite non-bulk packaging may not be filled with a solid hazardous material to a gross mass greater than the maximum gross mass marked on the packaging.

(3) Packagings tested as prescribed in § 178.605 of this subchapter and marked with the hydrostatic test pressure as prescribed in § 178.503(a)(5) of this subchapter may be used for liquids only when the vapor pressure of the liquid conforms to one of the following:

(i) The vapor pressure must be such that the total pressure in the packaging (i.e., the vapor pressure of the liquid plus the partial pressure of air or other inert gases, less 100 kPa (14.5 psi)) at 55 °C (131 °F), determined on the basis of a maximum degree of filling in accordance with subparagraph (1) of this paragraph and a filling temperature of 15 °C (59 °F), will not exceed two-thirds of the marked test pressure;

(ii) The vapor pressure at 50 °C (122 °F) must be less than four-sevenths of the sum of the marked test pressure plus 100 kPa (14.5 psi); or

(iii) The vapor pressure at 55 °C (131 °F) must be less than two-thirds of the sum of the marked test pressure plus 100 kPa (14.5 psi).

(c) *Mixed contents.* (1) An outer non-bulk packaging may contain more than one hazardous material only when—

(i) The inner and outer packaging used for each hazardous material conforms to the relevant packaging sections of this part applicable to each of the hazardous materials;

(ii) The package as prepared for shipment meets the performance tests prescribed in Part 178 for the packing group indicating the highest order of hazard for the hazardous materials contained in the package;

(iii) Corrosive materials in bottles are further packed in securely closed inner receptacles before packing in outer packagings; and

(iv) For transportation by aircraft, the total net quantity does not exceed the lowest permitted maximum net quantity per package as shown in Column 9a or 9b, as appropriate, of the § 172.101 Table. The permitted maximum net quantity must be calculated in kilograms if a package contains both a liquid and a solid.

(2) A packaging containing inner packagings of Division 6.2 materials may not contain other hazardous materials, except dry ice.

103. Section 173.24b would be added, as follows:

§ 173.24b Additional general requirements for bulk packagings and packages.

(a) *Pressure relief devices on bulk packagings.* Except when installed in series with a pressure relief valve, a non-reclosing pressure relief device may not be used on a bulk packaging containing a hazardous material that is flammable or poisonous or both.

(b) *Outage and filling limits*—(1) *Tank car and multi-unit tank car tank filling limits.* (i) Hazardous materials may not be loaded into the dome of a tank car.

(ii) If the dome of the tank car does not provide sufficient outage, then vacant space must be left in the shell to make up the required outage.

(iii) Liquids must be so loaded in tank cars and multi-unit tank car tanks that the outage is at least one percent of the total capacity of the tank and dome at the reference temperature of 115 °F (46.1 °C) for uninsulated tanks and 105 °F (40.6 °C) for insulated tanks. Tanks must not be liquid full at 131 °F (55 °C).

(2) *Cargo tank and portable tank filling limits.* The outage in a cargo tank, portable tank, or compartment thereof must be at least one percent of the total capacity of the tank or compartment at the reference temperature of 115 °F (46.1 °C) for uninsulated tanks and 105 °F (40.6 °C) for insulated tanks. Tanks must not be liquid full at 131 °F (55 °C).

(3) *Bulk packagings for liquids toxic by inhalation.* For a liquid which meets the definition for Division 6.1, Packing Group I, based on inhalation toxicity, the outage in a bulk packaging must be at least five percent of the total capacity of the tank or compartment at the reference temperature of 115 °F (46 °C) for uninsulated tanks and 105 °F (40.6 °C) for insulated tanks.

(c) *Equivalent steel.* Where the regulations permit steel other than stainless steel to be used in place of a specified stainless steel (for example, as in § 172.102 of this subchapter, special provision B30), the minimum thickness for the steel must be obtained from one of the following formulas, as appropriate: Formula for metric units:

$$e_1 = (10e_o/Rm_1 A_1)^{1/3}$$

Formula for non-metric units:

$$e_1 = (112.3e_o/Rm_1 A_1)^{1/3}$$

where:

e_o = Required thickness of the reference stainless steel in millimeters or inches, for metric units or non-metric units, respectively;

e_1 = Equivalent thickness of the non-stainless steel in millimeters or inches, for metric units or non-metric units, respectively;

Rm_1 = Specified minimum tensile strength of the non-stainless steel (from the appropriate specification in Part 178 of this subchapter) in deka-newtons per square millimeter or pounds per square inch, for metric units or non-metric units, respectively;

A_1 = Specified minimum percentage elongation of the non-stainless steel (from the appropriate specification in Part 178 of this subchapter) multiplied by 100 (for example, 20% times 100 equals 20).

(d) *Heating coils.* Tank car tanks used for materials meeting the definition for Division 2.3 or for Division 6.1, Packing Group I, based on inhalation toxicity, may not be equipped with interior or exterior heating coils.

104. In § 173.25, paragraph (b) would be removed, paragraph (a)(3) would be revised and paragraph (a)(5) would be added as follows:

§ 173.25 Authorized packages and overpacks.

(a) * * *

(3) Each package subject to the orientation marking requirements of § 172.312 of this subchapter is packed in the overpack with its filling holes up and the overpack is marked with package orientation marking arrows on two opposite vertical sides of the overpack with the arrows pointing in the correct direction of orientation.

* * * * *

(5) Packages containing corrosive or oxidizing materials in Packing Group I may not be overpacked with any other materials.

* * * * *

105. Section 173.26 would be revised as follows:

Section 173.26 Quantity limitations.

When quantity limitations do not appear in the packaging requirements of this subchapter, the permitted gross weight or capacity authorized for a packaging is as shown in the packaging specification or standard in Part 178 or 179, as applicable, of this subchapter.

106. Section 173.27 would be revised as follows:

§ 173.27 General requirements for transportation by aircraft.

(a) The requirements of this section are in addition to the requirements in § 173.24 and apply to packages offered or intended for transportation by aircraft. Notwithstanding any Packing Group III performance level specified in Column 5 of the § 172.101 Table, the required performance level for packages containing Class 4, 5, or 8 materials, when offered or intended for transportation by aircraft, is at the Packing Group II performance level, unless otherwise excepted from performance requirements in Subpart E of this part.

(b) *Packages authorized on board aircraft.* (1) When Column 9a of the § 172.101 Table indicates that a material is "Forbidden", that material may not be offered for transportation or transported by passenger-carrying aircraft.

(2) When Column 9b of the § 172.101 Table indicates that a material is "Forbidden", that material may not be offered for transportation or transported by aircraft.

(3) The maximum quantity of hazardous material in a package that may be offered for transportation or transported by passenger-carrying aircraft or cargo aircraft may not exceed that quantity prescribed for the material in Column 9a or 9b, respectively, of the § 172.101 Table.

(4) A package containing a hazardous material which is authorized on cargo aircraft but not on passenger aircraft must be labeled with the CARGO AIRCRAFT ONLY label required by § 172.402(b) of this subchapter and may not be offered for transportation or transported on passenger-carrying aircraft.

(c) *Pressure requirements.* (1) Packagings must be designed and constructed to prevent leakage that may be caused by changes in altitude and temperature during transportation by aircraft.

(2) Packagings for which retention of liquid is a basic function must be capable of withstanding without leakage the greater of—

(i) An internal pressure which produces a pressure of not less than 75 kPa (10.88 psi) for liquids in Packing Group III of Class 3 or Division 6.1, or 95 kPa (13.8 psi) for other liquids; or

(ii) A pressure related to the vapor pressure of the liquid to be conveyed, determined by one of the following:

(A) The total pressure measured in the receptacle (i.e., the vapor pressure of the material and the partial pressure of air or other inert gases, less 100 kPa (14.5 psi)) at 55 °C (131 °F), multiplied by a safety factor of 1.5; determined on the basis of a filling temperature of 15 °C (59 °F) and a degree of filling such that the receptacle is not completely liquid full at a temperature of 55 °C (131 °F) or less;

(B) 1.75 times the vapor pressure at 50 °C (122 °F) less 100 kPa (14.5 psi); or

(C) 1.5 times the vapor pressure at 55 °C (131°) less 100 kPa (14.5 psi).

(3) Notwithstanding the provisions of subparagraph (2) of this paragraph—

(i) Hazardous materials may be contained in an inner packaging which does not itself meet the pressure requirement provided that the inner packaging is packed within a supplementary packaging which does meet the pressure requirement and other applicable packaging requirements of this subchapter.

(ii) Packagings which are subject to the hydrostatic pressure test and marking requirements of §§ 178.605 and 178.503 through (a)(5), respectively, of this subchapter must have a marked test pressure of not less than 250 kPa (36.3 psi) for liquids in Packing Group I, 80 kPa (11.6 psi) for liquids in Packing Group III of Class 3 or Division 6.1, and 100 kPa (14.5 psi) for other liquids.

(d) *Closures.* Stoppers, corks or other such friction-type closures must be held securely, tightly and effectively in place by positive means.

(e) *Absorbent materials.* Except as otherwise provided in this subchapter, liquids in Packing Group I or II of Class 3, 4, 5, 6, or 8, when in glass or earthenware inner packagings, must be packaged using material capable of absorbing and not likely to react dangerously with the liquid. Absorbent material is not required if the inner packagings are so protected that breakage of them and leakage of their contents from the outer packaging is not likely to occur under normal conditions of transportation and is not required for packagings containing liquids in Packing Group III for transport on cargo aircraft only. Where absorbent material is required and an outer packaging is not liquid-tight, a means of containing the liquid in the event of leakage must be used in the form of a leakproof liner, plastic bag or other equally efficient means of containment. Where absorbent material is required, the quantity and disposition of it in each outer packaging must be as follows:

(1) For packagings containing liquids in Packing Group I for transport on passenger-carrying aircraft, each packaging must contain sufficient absorbent material to absorb the contents of all inner packagings containing such liquids;

(2) For packagings containing liquids in Packing Group I for transport on cargo aircraft only and packagings containing liquids in Packing Group II for transport on passenger aircraft, each package must contain sufficient absorbent material to absorb the contents of any one of the inner packagings containing such liquids and, where they are of different sizes and quantities, sufficient absorbent material to absorb the contents of the inner packaging containing the greatest quantity of liquid.

(f) *Combination packagings.* Unless otherwise specified in this Part, or in § 171.11 of this subchapter, when combination packagings are offered for transportation by aircraft, inner packagings must conform to the quantity limitations set forth in Table 1 for transport on passenger-carrying aircraft and Table 2 for transport on cargo aircraft only, as follows:

TABLE 1.—MAXIMUM NET CAPACITY OF INNER PACKAGINGS FOR TRANSPORTATION ON PASSENGER-CARRYING AIRCRAFT

Maximum net quantity per package from column 9a of the § 172.101 table	Maximum authorized net capacity of inner packagings	
	Glass, earthenware or fiber inner packagings	Metal or plastic inner packagings
Liquids:		
Not greater than 0.5L	0.5L	0.5L.
Greater than 0.5L, not greater than 1L.	0.5L	1L.
Greater than 1L, not greater than 5L.	1L	5L.
Greater than 5L, not greater than 60L.	2.5L	10L.
Greater than 60L, not greater than 220L.	5L	25L.
Greater than 220L	No limit.	No limit.
Solids:		
Not greater than 5 kg	0.5 kg	1 kg.
Greater than 5 kg, not greater than 25 kg.	1 kg	2.5 kg.
Greater than 25 kg, not greater than 200 kg.	5 kg	10 kg.
Greater than 200 kg	No limit	No limit.

TABLE 2.—MAXIMUM NET CAPACITY OF INNER PACKAGINGS FOR TRANSPORTATION ON CARGO AIRCRAFT ONLY

Maximum net quantity per package from column 9b of the § 172.101 Table	Maximum authorized net capacity of inner packagings	
	Glass, earthenware or fiber inner packagings	Metal or plastic inner packagings
Liquids:		
Not greater than 2.5L	1L	1L.
Greater than 2.5L, not greater than 30L.	2.5L	2.5L.
Greater than 30L, not greater than 60L.	5L	10L.
Greater than 60L, not greater than 220L.	5L	25L.
Greater than 220L	No limit	No limit.
Solids:		
Not greater than 15 kg	1 kg	2.5 kg.
Greater than 15 kg, not greater than 50 kg.	2.5 kg	5 g.
Greater than 50 kg, not greater than 200 kg.	5 kg	10 kg.

TABLE 2.—MAXIMUM NET CAPACITY OF INNER PACKAGINGS FOR TRANSPORTATION ON CARGO AIRCRAFT ONLY—Continued

Maximum net quantity per package from column 9b of the § 172.101 Table	Maximum authorized net capacity of inner packagings	
	Glass, earthenware or fiber inner packagings	Metal or plastic inner packagings
Greater than 200 kg	No limit	No limit

(g) *Cylinders.* For any cylinder containing hazardous materials and incorporating valves, sufficient protection must be provided to prevent operation of and damage to, the valves during transportation, by one of the following methods:

(1) By equipping each cylinder with securely attached valve caps or protective headrings; or

(2) By boxing or crating the cylinder.

(h) *Tank cars and cargo tanks.* Tank cars and cargo tanks containing hazardous materials may not be transported aboard aircraft.

107. Section 173.28 would be revised as follows:

§ 173.28 Reuse, reconditioning and remanufacture of packagings.

(a) *Reuse.* Packagings and receptacles used more than once must be in such condition, including closure devices and cushioning materials, that they conform in all respects to the prescribed requirements of this subchapter, including the following provisions and limitations:

(1) Before reuse, each packaging must be inspected and must not be reused unless free from rupture, corrosion, other damage or incompatible residue;

(2) Before reuse, packagings subject to the leakproofness test with air prescribed in § 178.604 shall be—

(i) Retested using an internal air pressure (gauge) of at least 48 kilopascals (7.0 pounds); and

(ii) Marked as required by paragraph (b) of this section and § 178.503(c) of this subchapter;

(3) Packagings made of paper, plastic film, textile or fiberboard are not authorized for reuse; and

(4) Metal and plastic drums, jerricans and the metal or plastic outer packagings of composite packagings are authorized for reuse only when they are marked in millimeters with the minimum thickness of the packaging material and conform to the following minimum construction criteria:

Marked, or rated, capacity (net mass) not over	Minimum thickness of packaging material	
	Metal drum or jerrican	Plastic drum or jerrican
20L (20 kg)	0.6 mm (0.024 in.)	1.2 mm (0.047 in.)
40L (40 kg)	0.7 mm (0.028 in.)	1.8 mm (0.071 in.)
120L (120 kg)	0.9 mm (0.035 in.)	2.2 mm (0.087 in.)
220L (220 kg)	1.0 mm (0.039 in.)	2.2 mm (0.087 in.)
450L (400 kg)	1.8 mm (0.071 in.)	5.0 mm (0.197 in.)

(5) Plastic inner packagings of composite packagings must have a minimum thickness of 1.5mm (0.059 inch).

(b) *Reconditioning.* For the purpose of this subchapter, reconditioning is the repair, replacement of non-integral packaging components (such as removable gaskets, closure devices, cushioning material, etc.) or leakproofness testing of non-bulk packagings, other than cylinders. A person who reconditions a packaging manufactured under the provisions of Subpart L of Part 178 of this subchapter, shall mark that packaging as required by § 178.503(c) of this subchapter. The marking is the certification of the reconditioner that the packaging conforms to the standard for which it is marked and that all functions performed by the reconditioner which are prescribed by this subchapter have been performed in compliance with this subchapter.

(c) *Remanufacture.* For the purpose of this subchapter, remanufacture is the conversion of a non-specification, non-bulk packaging to a DOT specification or UN standard, the conversion of a packaging meeting one specification or standard to another specification or standard (for example, conversion of 1A1 non-removable head drums to 1A2 removable head drums) or the replacement of integral structural packaging components (such as non-removable heads on drums). A person who remanufactures a non-bulk packaging to conform to a specification or standard in Part 178 of this subchapter is subject to the requirements of Part 178 as a manufacturer.

108. Section 173.29 would be revised as follows:

§ 173.29 Empty packagings.

(a) Except as otherwise provided in this section, an empty packaging containing only the residue of a hazardous material shall be offered for transportation and transported in the same manner as when it previously contained a greater quantity of that hazardous material.

(b) Notwithstanding the requirements of paragraph (a) of this section, an empty packaging is not subject to any other requirements of this subchapter if it conforms to the following provisions:

(1) Any hazardous material shipping name and identification number markings, and any hazard warning labels or placards are removed or obliterated. This provision does not apply to transportation in a transport vehicle or a freight container if the packaging is not visible during transportation and the packaging is loaded by the shipper and unloaded by the shipper or consignee;

(2) The packaging—

(i) Is unused; or

(ii) Is sufficiently cleaned of residue and purged of vapors to remove any potential hazard; or

(iii) Is refilled with a material which is not hazardous to such an extent that any residue remaining in the packaging no longer poses a hazard; or

(iv) Contains only the residue of—

(A) A Class 9 or ORM–D material; or

(B) An ORM–E material which no longer meets the definition in § 171.8 of this subchapter for either a hazardous substance or a hazardous waste; or

(C) A nonflammable gas with no subsidiary hazard at a pressure less than 40 psia; (275.8 kPa) at 70 °F (21 °C); and

(3) Any material contained in the packaging does not meet the definitions in § 171.8 of this subchapter for either a hazardous substance or a hazardous waste.

(c) A non-bulk packaging containing only the residue of a hazardous material covered by Table 2 of § 172.504 of this subchapter—

(1) Does not have to be included in determining the applicability of the placarding requirements of Subpart F of Part 172 of this subchapter; and

(2) Is not subject to the shipping paper requirements of this subchapter when collected and transported by a contract or private carrier for reconditioning, remanufacture or reuse.

(d) Notwithstanding the stowage requirements in Columns 10a and 10b of the § 172.101 Table for transportation by vessel, an empty drum or cylinder may be stowed on deck or under deck.

(e) Specific provisions for describing an empty packaging on a shipping paper appear in § 172.203(e) of this subchapter.

(f) An empty tank car must conform to the placarding requirements specified in § 172.510(c) of this subchapter.

109. In § 173.31, in paragraph (a)(1) the words "dangerous articles" would be revised to read "hazardous materials" and in paragraph (c), footnote * would be removed from Retest Table 1 and from the footnotes following the table. In

addition, paragraphs (a)(5), (a)(6), (a)(7), (a)(8), (a)(9), and (a)(10) would be revised and paragraphs (a)(11) through (a)(13) would be added, as follows:

§ 173.31 Qualification, maintenance, and use of tank cars.

(a) * * *

(5) Each DOT specification tank car shall be equipped with a coupler vertical restraint system in accordance with § 179.14 of this subchapter.

(6) After December 31, 1987, each non-specification tank car shall be equipped with a coupler vertical restraint system in accordance with § 179.14 of this subchapter.

(7) Pressure relief devices on tank car tanks must be of a type and design approved by the AAR Committee on Tank Cars and be made of metal not subject to deterioration by the lading.

(8) A Specification DOT-106A or 110A multi-unit tank car tank may be offered for transportation aboard a passenger vessel only as authorized in § 173.32(a)(4).

(9) Lading temperature must be within the tank design temperature range.

(10) Tank test pressure must be equal to or greater than the greatest of the following:

(i) 160 percent of the sum of lading vapor pressure at the reference temperature of 46.1 °C (115 °F) for uninsulated tanks or 40.6 °C (105 °F) for insulated tanks plus static head plus gas padding pressure in the ullage space or dome of tank;

(ii) 133 percent of the maximum loading or unloading pressure, whichever is greater; or

(iii) The minimum pressure prescribed by the specification in Part 179 of this subchapter or for the specific hazardous material in the applicable packaging section in Subpart F or G of this part.

(11) Air pressure may not be used to load or unload any lading which may create an enriched mixture within the flammability range of the lading in the vapor space of the tank.

(12) Unless otherwise specifically provided for in this subchapter, tank car tanks used for materials meeting the definition for Division 6.1 liquids, Packing Group I or II, Class 2 gases, or Class 3 or 4 liquids must be equipped with reclosing pressure relief devices having adequately sized venting capacity.

(13) For tanks used to transport materials with a primary or secondary hazard of Class 8 which are to be reused for Class 2 materials, both tank and pressure relief valves shall be retested prior to loading with the Class 2 material.

* * * * *

110. In § 173.32 paragraph (a)(6) and paragraphs (q) through (u) would be added as follows:

§ 173.32 Qualification, maintenance and use of portable tanks.

(a) * * *

(6) A DOT 51 portable tank may be used where DOT 56 or DOT 57 type portable tanks or DOT 60 portable tanks are authorized. A DOT 60 portable tank may be used where DOT 56 or DOT 57 type portable tanks are authorized. A higher integrity tank used instead of a specified portable tank must meet the same design profile; e.g., a DOT 51 portable tank must be lined, if used instead of a lined DOT 60 portable tank.

* * * * *

(q) *Loading requirements.* A portable tank may not be loaded with a hazardous material that—

(1) Has a lading density exceeding the tank's design maximum density, or

(2) Is warmer or colder than the tank's design temperature range.

(r) Tank design pressure must be equal to or greater than the greatest of the following:

(1) 120 percent of the sum of lading vapor pressure plus static head plus gas padding pressure in the ullage space or dome of tank;

(2) The maximum loading or unloading pressure, whichever is greater; or

(3) The pressure prescribed for the specific hazardous material in Subpart F or G of this part, or in Part 172, as applicable.

(s) Where a DOT 60 or marine portable tank is authorized, minimum tank design pressure is 25 psi (172.4 kPa) for any liquid lading that meets more than one hazard class definition, unless otherwise specified.

(t) Air pressure may not be used to load or unload any lading which may create an enriched mixture within the flammability range of the lading in the vapor space of the tank.

(u) A portable tank in service for a Class 3 or 4 material, or Division 6.1 liquid, must be equipped with a reclosing pressure relief valve having adequately-sized venting capacity.

111. In § 173.32c, paragraphs (a), (b), (g)(2) and (o) would be revised to read as follows:

§ 173.32c Use of Specification IM portable tanks.

(a) No person may offer a hazardous material for transportation in an IM portable tank except as authorized by this subchapter.

(b) Except as otherwise provided in this subpart, an IM portable tank may not be used for the transportation of a hazardous material unless it meets the requirements of this subchapter.

* * * * *

(g) * * *

(2) When this paragraph is specified for a hazardous material by the IM Tank Table in § 172.102 of this subchapter, each filling or discharge connection located below the normal liquid level of the tank, or compartment thereof, has three serially-mounted closures consisting of an internal discharge valve capable of being closed from a location remote from the valve itself, an external valve, and a bolted blank flange or other suitable, liquid-tight closure on the outlet side of the external valve.

* * * * *

(o) An IM 101 tank may be used whenever an IM 102 tank is authorized provided it meets the requirements for pressure relief devices, bottom outlets and any other special provisions specified for the IM 102 tank in § 172.102 of this subchapter.

§ 173.32d [Removed]

112. Section 173.32d would be removed.

113. In 173.33, paragraphs (l) through (q) would be added, as follows:

§ 173.33 Qualification, maintenance and use of cargo tanks.

* * * * *

(l) A cargo tank may not be loaded with a hazardous material that:

(1) Has a density exceeding the tank's design maximum density; or

(2) Is warmer or colder than the tank design temperature range.

(m) Tank design pressure must be equal to or greater than the greatest of the following:

(1) 120 percent of the sum of lading vapor pressure plus static head plus gas padding pressure in the ullage space or dome of tank;

(2) The maximum loading or unloading pressure, whichever is greater; or

(3) The pressure prescribed in Subpart F or G of this part, for the specific hazardous material as applicable, including—

(i) For compressed gases and certain refrigerated liquids, the pressure prescribed in § 173.315; and

(ii) For cryogenic liquids, the pressure prescribed in § 173.318.

(n) An MC 331 type cargo tank may be used where MC 306, MC 307 or MC 312 type cargo tanks are authorized. An MC 307 or MC 312 type cargo tank may be used where MC 306 type cargo tanks are authorized. A higher integrity tank used in lieu of a specified tank must meet the

same design profile (for example, an MC 331 cargo tank must be lined if used in place of a lined MC 312 cargo tank.)

(o) Unless otherwise specified, where MC 307 and MC 312 cargo tanks are authorized, minimum tank design pressure is 25 psi (172.4 kPa) for any liquid lading that meets more than one hazard class definition.

(p) Air pressure may not be used to load or unload any lading which may create an enriched mixture within the flammability range of the lading in the vapor space of the tank. (See § 173.33(b)(3).)

(q) A cargo tank in service for a Class 3 or 4 material or Division 6.1 liquid must be equipped with a reclosing pressure relief valve having adequately-sized venting capacity. (See § 173.33(d)(1) and (2).)

114. A new § 173.40 would be added, to read as follows:

§ 173.40 General packaging requirements for poisonous materials required to be packaged in cylinders.

When this section is referenced in the packaging section for a hazardous material elsewhere in this part, the following requirements are applicable to cylinders used for that material:

(a) *Authorized cylinders.* A cylinder must conform to one of the specifications for cylinders in Subpart C of Part 178 of this subchapter, except that Specification 8, 8AL and 39 cylinders are not authorized.

(b) *Outage and pressure requirements.* The pressure of the hazardous material at 55 °C (131 °F) must not exceed the service pressure of the cylinder. Sufficient outage shall be provided so that the cylinder will not be liquid full at 55 °C (131 °F).

(c) *Closures.* Each cylinder must be closed with a plug or valve conforming to the following:

(1) Each plug or valve must have a taper-threaded connection directly to the cylinder and be capable of withstanding the test pressure of the cylinder;

(2) Each valve must be of the packless type with non-perforated diaphragm, except that for corrosive materials, a valve may be of the packed type provided the assembly is made gas-tight by means of a seal cap with gasketed joint attached to the valve body or the cylinder to prevent loss of material through or past the packing;

(3) Each valve outlet must be sealed by a threaded cap or threaded solid plug, and

(4) Cylinder, valves, plugs, outlet caps, luting and gaskets must be compatible with each other and with the lading.

(d) *Additional protection.* Additional protection requirements for thin-walled cylinders and for cylinders equipped with valves are as follows:

(1) Each cylinder which has a wall thickness at any point of less than 2.03 mm (0.080 inch) and each cylinder which does not have fitted valve protection must be overpacked in a 4C1, 4D, 4F, 4G, 4H1 or 4H2 box. The box must conform to overpack provisions in § 173.25. Box and valve protection must be of sufficient strength to protect all parts of the cylinder and valve, if any, from deformation and breakage resulting from a drop of 2.0 meters (6.56 ft) or more onto a concrete floor, impacting at an orientation most likely to cause damage.

(2) Each cylinder equipped with a valve, if not overpacked in a box in accordance with paragraph (d)(1) of this section, must be equipped with a protective cap or other means of valve protection sufficient to protect the valve from deformation and breakage resulting from a drop of 2.0 meters (6.56 ft) or more onto a concrete floor, impacting at an orientation most likely to cause damage.

(e) *Interconnection.* Cylinders may not be interconnected.

115. In Part 173, Subparts D, E and F would be revised as follows:

Subpart D—Definitions, Classification, Packing Group Assignments and Exceptions for Hazardous Materials Other Than Class 1 and Class 7

Sec.

173.115 Class 2, Divisions 2.1, 2.2, and 2.3—Definitions.
173.116 Class 2—Assignment of Packing Group.
173.120 Class 3—Definitions.
173.121 Class 3—Assignment of Packing Group.
173.124 Class 4, Divisions 4.1, 4.2 and 4.3—Definitions.
173.125 Class 4, Assignment of Packing Group.
173.128 Class 5, Divisions 5.1 and 5.2—Definitions.
173.129 Class 5—Assignment of Packing Group.
173.132 Class 6, Division 6.1—Definitions.
173.133 Division 6.1—Assignment of Packing Group.
173.134 Class 6, Division 6.2—Definitions.
173.136 Class 8—Definitions.
173.137 Class 8—Assignment of Packing Group.
173.140 Class 9—Definitions.
173.141 Class 9—Assignment of Packing Group.
173.144 Other Regulated Materials (ORM)—Definitions.
173.145 Other Regulated Materials—Assignment of Packing Group.
173.150 Exceptions for Class 3 (flammable and combustible liquids).
173.151 Exceptions for Division 4.1 (flammable solids).
173.152 Exceptions for Division 5.1 (oxidizers) and Division 5.2 (organic peroxides).
173.153 Exceptions for Division 6.1 (poisonous materials).
173.154 Exceptions for Class 8 (corrosive materials).
173.155 Exceptions for Class 9 (miscellaneous hazardous materials).
173.156 Exceptions for ORM materials.

Subpart E—Non-bulk Packaging for Hazardous Materials Other Than Class 1 and Class 7

173.158 Nitric acid.
173.159 Batteries, wet.
173.160 Bombs, smoke, non-explosive (corrosive).
173.161 Chemical kits.
173.162 Gallium.
173.163 Hydrogen fluoride.
173.164 Mercury (metallic and articles containing mercury).
173.171 Smokeless powder for small arms.
173.172 Aircraft hydraulic power unit fuel tank.
173.173 Paint, paint-related material, adhesives and ink.
173.174 Refrigerating machines.
173.180 Aircraft thrust devices.
173.181 Pyrophoric materials (liquids).
173.182 Barium azide—50 percent or more water wet.
173.183 Nitrocellulose base film.
173.184 Highway or rail fusee.
173.185 Lithium batteries and cells.
173.186 Matches.
173.187 Pyrophoric solids, metals or alloys, n.o.s.
173.188 White or yellow phosphorus.
173.192 Packaging for certain Packing Group I poisonous materials.
173.193 Bromoacetone, methyl bromide, chloropicrin and methyl bromide or methyl chloride mixtures, etc.
173.194 Gas identification sets.
173.195 Hydrocyanic acid, liquid (prussic acid) and hydrocyanic acid liquefied.
173.196 Infectious substances (etiologic agents).
173.198 Nickel carbonyl.
173.201 Non-bulk packagings for liquid hazardous materials in Packing Group I.
173.202 Non-bulk packagings for liquid hazardous materials in Packing Group II.
173.203 Non-bulk packagings for liquid hazardous materials in Packing Group III.
173.204 Non-bulk, non-specification packagings for certain hazardous materials.
173.205 Specification cylinders for liquid hazardous materials.
173.211 Non-bulk packagings for solid hazardous materials in Packing Group I.
173.212 Non-bulk packagings for solid hazardous materials in Packing Group II.
173.213 Non-bulk packagings for solid hazardous materials in Packing Group III
173.214 Packagings which require approval by the Director, OHMT.
173.216 Asbestos, blue or white.
173.217 Carbon dioxide, solid (dry ice).
173.218 Fish meal or fish scrap.

173.219 Life rafts, aircraft survival kits, etc.
173.220 Internal combustion engines, self-propelled vehicles, and mechanical equipment containing internal combustion engines or wet batteries.
173.221 Polystyrene beads, expandable.
173.222 Wheelchairs equipped with wet electric storage batteries.
173.225 Packagings for organic peroxides.
173.226 Liquids toxic by inhalation, Division 6.1, Packing Group I, Zone A.
173.227 Liquids toxic by inhalation, Division 6.1, Packing Group I, Zone B.
173.228 Bromine pentafluoride or bromine trifluoride.
173.229 Chloric acid solution or chlorine dioxide hydrate, frozen.
173.230 Non-bulk packagings for ORM-D materials.

Subpart F—Bulk Packaging for Hazardous Materials Other Than Classes 1 and 7

173.240 Bulk packaging for certain flammable solids (Division 4.1), solid oxidizers (Division 5.1), corrosive solids (Class 8) and other similar low hazard materials.
173.241 Bulk packaging for certain combustible liquids (Class 3), flammable solids (Divisions 4.2 and 4.3), and other similar hazardous materials.
173.242 Bulk packagings for certain medium hazard liquids and solids, including solids with dual hazards.
173.243 Bulk packaging for certain high hazard liquids and dual hazard liquids which pose a moderate hazard.
173.243 Bulk packaging for certain pyrophoric liquids (Division 4.2), poisonous liquids with inhalation hazards (Division 6.1) and gases (Class 2).
173.245 Bulk packaging for extremely hazardous materials such as poisonous gases (Division 2.3).
173.248 Ethylene oxide.
173.249 Bromine.

Subpart D—Definitions, Classification, Packing Group Assignments and Exceptions for Hazardous Materials Other Than Class 1 and Class 7.

§ 173.115 Class 2, Divisions 2.1, 2.2, and 2.3—Definitions.

(a) *Division 2.1 (Flammable gas).* (1) For the purpose of this subchapter, a "flammable gas" (Division 2.1) means any material which is a gas at 20 °C (68 °F) or less and 1 atmosphere (atm) of pressure (a material which has a boiling point of 20 °C (68 °F) or less at 1 atm) which—

(i) Is ignitable at 1 atm when in a mixture of 13% or less by volume with air; or

(ii) Has a flammable range at 1 atm with air of at least 12% regardless of the lower limit.

(2) The limits specified in paragraph (a)(1) of this section shall be determined at 1 atmosphere of pressure and a temperature of 20 °C (68 °F) in accordance with ASTM E681–79 Standard Test Method for Limits of Flammability of Chemicals.

(b) *Division 2.2 (non-flammable compressed gas—including compressed gas, liquefied gas, pressurized cryogenic gas and compressed gas in solution).* For the purpose of this subchapter, a "non-flammable compressed gas" (Division 2.2) means any material (or mixture) which—

(1) Exerts in the packaging a pressure of 40 psia (275.8 kPa) at 21.1 °C (70 °F) or, regardless of the pressure at 21.1 °C (70 °F), exerts in the container a pressure of 104 psia (717.1 kPa) at 54.4 °C (130 °F); and

(2) Does not meet the definition of Division 2.1 or 2.3.

(c) *Division 2.3 (Poisonous gas).* For the purpose of this subchapter, "poisonous gas" (Division 2.3) means a material which is a gas at 20 °C (68 °F) or less and one atmosphere of pressure (a material which has a boiling point of 20 °C (68 °F) or less at 1 atmosphere and which—

(1) Is known to be so toxic to humans as to pose a hazard to health during transportation, or

(2) In the absence of adequate data on human toxicity, is presumed to be toxic to humans because when tested on laboratory animals it has an LC50 less than 5000 ppm (see § 173.132(b)(3)).

(d) *Non-liquefied compressed gas.* A "non-liquefied compressed gas" means a gas, other than in solution, which in a packaging under the charged pressure is entirely gaseous at a temperature of 20 °C (68 °F).

(e) *Liquefied compressed gas.* A "liquefied compressed gas" means a gas which in a packaging under the charged pressure, is partially liquid at a temperature of 20 °C (68 °F).

(f) *Compressed gas in solution.* A "compressed gas in solution" is a non-liquefied compressed gas which is dissolved in a solvent.

(g) *Cryogenic liquid.* A "cryogenic liquid" means a refrigerated liquefied gas having a boiling point colder than −130 °F (−90 °C) at one atmosphere, absolute. A material meeting this definition is subject to requirements of this subchapter without regard to whether it meets the definition of a non-flammable compressed gas in paragraph (b) of this section. Each cryogenic liquid is partially described as "(* * *, refrigerated liquid (cryogenic liquid))" in the § 172.101 Table.

(h) *Flammable range.* The term "flammable range" means the difference between the minimum and maximum volume percentages of the material in air that forms a flammable mixture.

(i) *Service pressure.* The term "service pressure" means the authorized pressure marking on the packaging. For example, for a cylinder marked "DOT 3A1800", the service pressure is 1800 psig.

(j) *Refrigerant gas or Dispersant gas.* The terms "Refrigerant gas" or "Dispersant gas" apply to all nonpoisonous refrigerant gases, dispersant gases (fluorocarbons) listed in §§ 172.101, 173.304(a)(2), 173.314(c), 173.315(a)(1) and 173.315(h), and mixtures thereof, or any other compressed gas meeting one of the following:

(1) A nonflammable mixture containing not less than 50% fluorocarbon content, having a vapor pressure not exceeding 260 psig (1792.7 kPa) at 130 °F (54.4 °C).

(2) A flammable mixture containing not less than 50% fluorocarbon content, not over 40% by weight of a flammable component, having a vapor pressure not exceeding 260 psig (1792 kPa) at 130 °F (54.4 °C).

§ 173.116 Class 2—Assignment of Packing Group.

(a) The packing group of a Class 2, Division 2.3 material is assigned in Column 5 of the § 172.101 Table. There are no packing groups for Divisions 2.1 and 2.2. When the § 172.101 Table provides more than one packing group for a Division 2.3 material, or indicates that the packing group be determined on the basis of the grouping criteria for Division 2.3, the packing group shall be determined by applying the following criteria:

Packing group	Inhalation toxicity
IA	LC50 less than or equal to 200 ppm
IB	LC50 greater than 200 ppm and less than or equal to 1000 ppm
II	LC50 greater than 1000 ppm and less than or equal to 3000 ppm
III	LC50 greater than 3000 ppm or less than or equal to 5000 ppm

(b) The criteria specified in paragraph (a) of this section are represented graphically in § 173.133, Figure 1.

§ 173.120 Class 3—Definitions.

(a) *Flammable liquid.* (1) For the purpose of this subchapter, a "flammable liquid" (Class 3) means any liquid having a flash point of not more than 60.5 °C (141 °F) with the following exceptions:

(i) Any liquid meeting one of the definitions specified in § 173.115 of this part.

(ii) Any mixture having one or more components with a flash point greater than 60.5 °C (141 °F) or higher, that

makes up at least 99 percent of the total volume of the mixture.

(2) For the purposes of this subchapter, a distilled spirit of 140 proof or lower is considered to have a flash point no lower than 23 °C (73 °F).

(b) *Combustible liquid.* (1) For the purpose of this subchapter, a "combustible liquid" (Class 3) means—

(i) Any liquid that does not meet the definition of any other hazard class specified in this subchapter and has a flash point above 60.5 °C (141 °F) and below 93.3 °C (200 °F); or

(ii) Any material that does not meet the definition of any other hazard class specified in this subchapter, has a flash point of 93.3 °C (200 °F) or greater and is offered for transportation or transported as a liquid at a temperature at or above its flash point.

(2) If a material has a flash point at or above 93.3 °C (200 °F) and does not meet the definition of a combustible liquid or any other hazard class, then it is not subject to the requirements of this subchapter.

(3) Except when offered or intended for transportation by vessel or aircraft, a flammable liquid with a flash point at or above 38 °C (100 °F) that does not meet the definition of any other hazard class may be reclassed as a combustible liquid.

(c) *Flash point.* (1) "Flash point" means the minimum temperature at which a liquid gives off vapor within a test vessel in sufficient concentration to form an ignitable mixture with air near the surface of the liquid. It shall be determined as follows:

(i) For a homogeneous, single-phase, liquid having a viscosity less than 45 S.U.S. at 38 °C (100 °F) that does not form a surface film while under test, one of the following test procedures shall be used:

(A) Standard Method of Test for Flash Point by Tag Closed Tester (ASTM D56–79); or

(B) Standard Methods of Test for Flash Point of Liquids by Setaflash Closed Tester (ASTM D3278–78).

(ii) For a liquid other than one meeting all of the criteria of paragraph (c)(1)(i) of this section, one of the following test procedures shall be used:

(A) Standard Method of Test for Flash Point by Pensky-Martens Closed Tester (ASTM D93–80). For cutback asphalt, use Method B of ASTM 93–80 or alternate tests authorized in this standard; or

(B) Standard Methods of Test for Flash Point of Liquids by Setaflash Closed Tester (ASTM D3278–78).

(2) For a liquid that is a mixture of compounds that have different volatility and flash points, its flash point shall be determined as specified in paragraph (c)(1) of this section, on the material in the form in which it is to be shipped. If it is determined by this test that the flash point is higher than 20 °F (−6.7 °C) a second test shall be made as follows: A portion of the mixture shall be placed in an open beaker (or similar container) of such dimensions that the height of the liquid can be adjusted so that the ratio of the volume of the liquid to the exposed surface area is 6 to 1. The liquid shall be allowed to evaporate under ambient pressure and temperature (20 to 25 °C) for a period of 4 hours or until 10 percent by volume has evaporated, whichever comes first. A flash point is then run on a portion of the liquid remaining in the evaporation container and the lower of the two flash points shall be the flash point of the material.

(3) For flash point determinations by Setaflash closed tester, the glass syringe specified need not be used as the method of measurement of the test sample if a minimum quantity of 2 milliliters is assured in the test cup.

(d) If experience or other data indicate that the hazard of a material is greater or less than indicated by the criteria specified in paragraphs (a) and (b) of this section, the Director, OHMT, may revise the classification or make the material subject or not subject to the requirements of Parts 170–189 of this subchapter:

§ 173.121 Class 3—Assignment of Packing Group.

(a) The packing group of a Class 3 material is as assigned in Column 5 of the § 172.101 Table. When the § 172.101 Table provides more than one packing group for a hazardous material, or indicates that the packing group is to be determined on the basis of the grouping criteria for Class 3, the packing group shall be determined by applying the following criteria:

Packing group	Flash point (closed-cup)	Initial boiling point
I		<35 °C (95 °F)
II	<23 °C (73 °F)	>35 °C (95 °F)
III	>23 °C, <60.5 °C (141 °F)	>35 °C (95 °F)

(b) *Criteria for inclusion of viscous Class 3 materials in Packing Group III.*

(1) Viscous Class 3 materials in Packing Group II with a flash point of less than 23 °C (73 °F) may be grouped in Packing Group III provided that—

(i) Less than 3 percent of the clear solvent layer separates in the solvent separation test;

(ii) The mixture contains not more than 5 percent of substances in Packing Group I or II of Division 6.1 or Class 8, or not more than 5 percent of substances in Packing Group I of Class 3 requiring a POISON or CORROSIVE subsidiary label;

(iii) The capacity of the packaging is not more than 30 L (7.9 gallons); and

(iv) The viscosity and flash point are in accordance with the following table:

Flowtime in seconds		Flash point in degrees C
4 mm Cup	8 mm Cup	
Over 20	.....	Over 17.
Over 60	.....	Over 10.
Over 100	.....	Over −5.
Over 160	.....	Over −1.
Over 220	Over 17	Over −5.
	Over 40	No lower limit.

(2) The methods by which the tests referred to in paragraph (b)(1) shall be performed are as follows:

(i) *Viscosity Test.* The flowtime in seconds is determined at 23 °C (73 °F) using the ISO Standard cup with a 4.0 millimeters (0.16 inches) jet (ISO–2431–72). Where the flowtime exceeds 200 seconds, a second test is carried out using the ISO standard cup but modified to take a jet of 8 millimeters (0.31 inches) diameter.

(ii) *Solvent Separation Test.* This test is carried out at 23 °C (73 °F) using a 100.0 milliliters (3.38 ounces) measuring cylinder of the stoppered type of approximately 25.0 centimeters (9.84 inches) total height and of a uniform internal diameter of approximately 30 millimeters (1.18 inches) over the calibrated section. The sample should be stirred to obtain a uniform consistency, and poured in up to the 100 milliliter mark. The stopper should be inserted and the cylinder left standing undisturbed for 24 hours. After 24 hours, the height of the upper separated layer should be measured and the percentage of this layer as compared with the total height of the sample calculated.

§ 173.124 Class 4, Divisions 4.1, 4.2 and 4.3—Definitions.

(a) *Division 4.1 (Flammable solid).* For the purpose of this subchapter, "flammable solid" (Division 4.1) means any solid material, other than one in Class 1, which, under the conditions normally incident to transportation, is readily combustible, or may cause or contribute to fire through friction. This division includes wetted explosives, self-reactive materials, readily combustible solids and solids which may cause or contribute to a fire through friction.

(b) *Division 4.2 (Spontaneously combustible material).* For the purpose of this subchapter, "spontaneously combustible material" (Division 4.2) means a material which is likely to heat

spontaneously under conditions normally incident to transportation, or to heat up in contact with air and being then likely to catch fire. This class includes pyrophoric liquids. A "pyrophoric liquid" means a liquid that ignites spontaneously in dry or moist air at or below 54.5 °C (130.1 °F).

(c) *Division 4.3 (Dangerous when wet materials).* For the purpose of this subchapter, "dangerous when wet material" (Division 4.3) means a material that, by interaction with water, is liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.

(d) Criteria for evaluating materials for inclusion in Class 4 are set forth in Chapter 14 of the UN Recommendations.

§ 173.125 Class 4—Assignment of Packing Group.

The packing group of Class 4 materials shall be as assigned in Column 5 of the § 172.101 table. Criteria for assignment of packing groups are set forth in Chapter 14 of the UN Recommendations.

§ 173.128 Class 5, Divisions 5.1 and 5.2—Definitions.

(a) *Division 5.1 (Oxidizer).* For the purpose of this subchapter, "oxidizer" (Division 5.1) means a material such as a chlorate, permanganate, inorganic peroxide, or a nitrate, that yields oxygen readily to stimulate the combustion of organic matter.

(b) *Division 5.2 (Organic peroxide).* For the purpose of this subchapter "organic peroxide" (Division 5.2) means an organic compound containing the bivalent –0–0– structure and which may be considered a derivative of hydrogen peroxide where one or more of the hydrogen atoms have been replaced by organic radicals unless:

(1) The material meets the definition of an explosive as prescribed in Subpart C of this part, in which case it must be classed as an explosive,

(2) The material is forbidden to be offered for transportation according to § 172.101 or § 173.21 of this subchapter,

(3) It is determined that the predominant hazard of the material containing an organic peroxide is other than that of an organic peroxide, or

(4) The Director, OHMT, has determined that the material does not present a hazard in transportation.

(c) Criteria for evaluating materials for inclusion in Class 5 are set forth in Chapter 11 of the UN Recommendations.

§ 173.129 Class 5—Assignment of Packing Group.

The packing group of a Class 5 material shall be as assigned in Column 5 of the § 172.101 Table.

§ 173.132 Class 6, Division 6.1—Definitions.

(a) For the purpose of this subchapter, "poisonous materials" (Division 6.1) means a material, other than a gas, which is known to be so toxic to humans as to afford a hazard to health during transportation, or which, in the absence of adequate data on human toxicity, is presumed to be toxic to humans because it falls within any one of the following categories when tested on laboratory animals:

(1) *Oral Toxicity.* A liquid with an LD_{50} for acute oral toxicity of not more than 500 mg/kg or a solid with an LD_{50} for acute oral toxicity of not more than 200 mg/kg.

(2) *Dermal Toxicity.* A material with an LD_{50} for acute dermal toxicity of not more than 1000 mg/kg.

(3) *Inhalation Toxicity.* (i) A dust or mist with an LC_{50} for acute toxicity on inhalation of not more than 10 mg/L; or

(ii) A material with a saturated vapor concentration in air at 20 °C (68 °F) of more than one-fifth of the LC_{50} for acute toxicity on inhalation of vapors and with an LC_{50} for acute toxicity on inhalation of vapors of not more than 5000 ml/m³.

(b) For the purposes of this subchapter—

(1) LD_{50} for acute toxicity means that dose of the material administered which is most likely to cause death within 14 days in half of both male and female young adult albino rats. The number of animals tested must be sufficient to give a statistically significant result and be in conformity with good pharmacological practices. The result is expressed in mg/kg body mass.

(2) LD_{50} for acute dermal toxicity means that dose of the material which, administered by continuous contact for 24 hours with the bare skin of an albino rabbit, is most likely to cause death within 14 days in half of the animals tested. The number of animals tested must be sufficient to give a statistically significant result and be in conformity with good pharmacological practices. The result is expressed in mg/kg body mass.

(3) LC_{50} for acute toxicity on inhalation means that concentration of vapor, mist, or dust which, administered by continuous inhalation for one hour to both male and female young adult albino rats, is most likely to cause death within 14 days in half of the animals tested. If the material is administered to the animals as a dust or mist, more than 90 percent of the particles available for inhalation in the test must have a diameter of 10 microns or less if it is reasonably foreseeable that such concentrations could be encountered by a human during transport. The result is expressed in mg/L of air for dusts and mists or in mL/m³ of air (parts per million) for vapors. See § 173.133(b) for LC_{50} determination for mixtures and for limit tests.

(i) When provisions of this subchapter require the use of the LC_{50} for acute toxicity on inhalation of dusts and mists based on a one-hour exposure and such data is not available, the LC_{50} for acute toxicity on inhalation based on a four-hour exposure may be multiplied by four and the product substituted for the one-hour LC_{50} for acute toxicity on inhalation.

(ii) When the provisions of this subchapter require the use of the LC_{50} for acute toxicity on inhalation of vapors based on a one-hour exposure and such data is not available, the LC_{50} for acute toxicity on inhalation based on a four-hour exposure may be multiplied by two and the product substituted for the one-hour LC_{50} for acute toxicity on inhalation.

(c) The foregoing categories shall not apply if the Director, OHMT has determined that the physical characteristics of the material or its probable hazards to humans as shown by documented experience indicate that the material will not cause serious sickness or death.

§ 173.133 Division 6.1—Assignment of Packing Group.

(a) The packing group of Division 6.1 materials shall be as assigned in Column 5 of the § 172.101 Table. When the § 172.101 Table provides more than one packing group for a hazardous material, the packing group shall be determined by applying the following criteria:

(1) The packing group assignment for routes of administration other than inhalation of vapors shall be in accordance with the following table:

Packing group	Oral toxicity LD_{50} (mg/kg)	Dermal toxicity LD_{50} (mg/kg)	Inhalation toxicity by dusts and mists LC_{50} (mg/L)
I	≤15	≤40	≤0.5
II	>5, ≤50	>40, ≤1200	>0.5, ≤2
III	solids: >50, ≤200. liquids: >50, ≤500.	>200, ≤1000	>2, ≤10

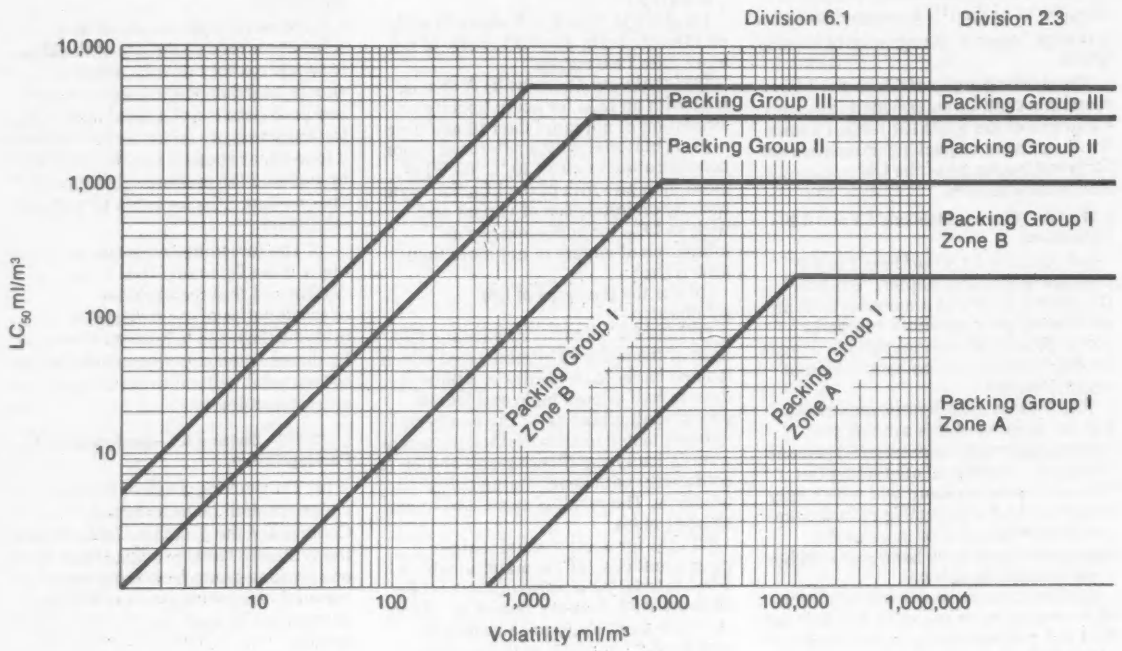
(2) The packing group assignment based on inhalation of vapors shall be in accordance with the following table:

Packing group	Vapor concentration and toxicity
I, Zone A	V >500 LC_{50} and LC_{50} <200 mL/M³.
I, Zone B	V >10 LC_{50}; LC_{50} <1000 mL/m³; and the criteria for Packing Group I, Zone A are not met.
II	V >LC_{50}; LC_{50} <3000 mL/m³; and the criteria for Packing Group I are not met.
III	V >.2 LC_{50}; LC_{50} <5000 mL/m³; and the criteria for Packing Groups I and II are not met.

Note.—V is the saturated vapor concentration in air of the material in mL/m³ at 20 °C and standard atmospheric pressure.

These criteria are represented graphically in Figure 1:

Figure 1
Inhalation Toxicity: Packing Group Borderlines



(3) When the packing group determined by applying these criteria is different for two or more (oral, dermal or inhalation) routes of administration, the packing group assigned to the material shall be that indicated for the highest degree of toxicity for any of the routes of administration.

(4) Notwithstanding the provisions of this paragraph, the packing group of a tear gas substance is as assigned in Column 5 of the § 172.101 Table.

(b) The packaging groups for Division 6.1 mixtures that are poisonous (toxic) by inhalation may be determined by one of the following methods:

(1) Where LC_{50} data is available on each of the poisonous (toxic) substances comprising the mixture—

(i) The LC_{50} of the mixture is estimated using the formula:

$$LC50\ (mixture) = \frac{1}{\sum_{i=1}^{n} \frac{f_i}{LC50_i}}$$

where:

f_i = mole fraction of the i^{th} component substance of the liquid

LC_{50i} = mean lethal concentration of the i^{th} component substance in ml/m ^{3}

(ii) The volatility of each component substance is estimated using the formula:

$$V_i = P_i \times \frac{10^6}{760} \text{ ml/m}^3$$

where:

P_i = partial pressure of the i^{th} component substance in mmHg at 20 °C and one atmosphere pressure

(iii) The ratio of the volatility to the LC_{50} is calculated using the formula:

$$R = \sum_{i=1}^{n} \frac{V_i}{LC50_i}$$

(iv) Using the calculated values LC_{50} (mixture) and R, the packaging group for the mixture is determined:

Packaging group	Ratio of volatility and LC_{50}
I, Zone A	R ≥500 and LC_{50} (mixture) ≤200 ml/m³.
I, Zone B	R ≥10 and LC_{50} (mixture) ≤1000 ml/m³; and the criteria for Packing Group I, Zone A, are not met.
II	R ≥1 and LC_{50} (mixture) ≤3000 ml/m³; and the criteria for Packing Group I are not met.
III	R ≥⅛ and LC_{50} (mixture) ≤5000 ml/m³; and the criteria for Packing Groups I and II are not met.

(2) In the absence of LC_{50} data on the poisonous (toxic) constituent substances, the mixture may be assigned a packaging group based on the following simplified threshold toxicity tests. When these threshold tests are used, the most restrictive packaging group must be determined and used for the transportation of the mixture.

(i) A mixture is assigned to Packaging Group I, Zone A only if both the following criteria are met:

(A) A sample of the liquid mixture is vaporized and diluted with air to create a test atmosphere of 200 ml/m³ vaporized mixture in air. Ten albino rats (five male and five female) are exposed to the test atmosphere for one hour and observed for fourteen days. If five or more of the animals die within the fourteen day observation period, the mixture is presumed to have an LC_{50} equal to or less than 200 ml/m³.

(B) A sample of the vapor in equilibrium with the liquid mixture is diluted with 499 equal volumes of air to form a test atmosphere. Ten albino rats (five male and five female) are exposed to the test atmosphere for one hour and observed for fourteen days. If five or more of the animals die within the fourteen day observation period, the mixture is presumed to have a volatility equal to or greater than 500 times the mixture LC_{50}.

(ii) A mixture is assigned to Packaging Group I, Zone B only if both the following criteria are met, and the mixture does not meet the criteria for Packaging Group I, Zone A:

(A) A sample of the liquid mixture is vaporized and diluted with air to create a test atmosphere of 1000 ml/m³ vaporized mixture in air. Ten albino rats (five male and five female) are exposed to the test atmosphere for one hour and observed for fourteen days. If five or more of the animals die within the fourteen day observation period, the mixture is presumed to have an LC_{50} equal to or less than 1000 ml/m³.

(B) A sample of the vapor in equilibrium with the liquid mixture is diluted with 9 equal volumes of air to form a test atmosphere. Ten albino rats (five male and five female) are exposed to the test atmosphere for one hour and observed for fourteen days. If five or more of the animals die within the fourteen day observation period, the mixture is presumed to have a volatility equal to or greater than 10 times the mixture LC_{50}.

(iii) A mixture is assigned to Packaging Group II only if both the following criteria are met, and the mixture does not meet the criteria for Packaging Group I (Zone A or B):

(A) A sample of the liquid mixture is vaporized and diluted with air to create a test atmosphere of 3000 ml/m³ vaporized mixture in air. Ten albino rats (five male and five female) are exposed to the test atmosphere for one hour and observed for fourteen days. If five or more of the animals die within the fourteen day observation period, the mixture is presumed to have an LC_{50} equal to or less than 3000 ml/m³.

(B) A sample of the vapor in equilibrium with the liquid mixture is used to form a test atmosphere. Ten albino rats (five male and five female) are exposed to the test atmosphere for one hour and observed for fourteen days. If five or more of the animals die within the fourteen day observation period, the mixture is presumed to have a volatility equal to or greater than the mixture LC_{50}.

(iv) A mixture is assigned to Packaging Group III only if both the following criteria are met, and the mixture does not meet the criteria for Packaging Groups I (Zone A or B) or II:

(A) A sample of the liquid mixture is vaporized and diluted with air to create a test atmosphere of 5000 ml/m³ vaporized mixture in air. Ten albino rats (five male and five female) are exposed to the test atmosphere for one hour and observed for fourteen days. If five or more of the animals die within the fourteen day observation period, the mixture is presumed to have an LC_{50} equal to or less than 5000 ml/m³.

(B) The vapor pressure of the liquid mixture is measured and if the vapor pressure is equal to or greater than 1000 ml/m³, the mixture is presumed to have a volatility equal to or greater than ⅛ the mixture LC_{50}.

§ 173.134 Class 6, Division 6.2—Definitions.

(a) For the purpose of this subchapter—

(1) An "infectious substance" (Division 6.2) means a viable microorganism, or its toxin, which causes or may cause human disease, and is limited to those agents listed in 42 CFR 72.3 of the regulations of the Department of Health and Human Services. The terms "infectious substance" and "etiologic agent" are synonymous.

(2) A "diagnostic specimen" means any human or animal material including, but not limited to, excreta, secreta, blood, and its components, tissue, and tissue fluids, being shipped for purposes of diagnosis.

(3) A "biological product" means a material prepared and manufactured in accordance with the provisions of 9 CFR Part 102 (Licensed veterinary biological products), 21 CFR Part 601 (Licensing), 21 CFR 312.1 (Conditions for exemption of new drugs for investigational use), 9 CFR Part 103 (Biological products for experimental treatment of animals), or 21 CFR 312.9 (New drugs for investigational use in laboratory research animals or in vitro tests), and which in accordance with these provisions, may be shipped in interstate commerce.

(b) The requirements of this subpart supplement the requirements of the Department of Health and Human Services contained in 42 CFR Part 72.

(c) Packing groups are not assigned to Division 6.2 materials.

§ 173.136 Class 8—Definitions.

(a) For the purpose of this subchapter, "corrosive material" (Class 8) means a liquid or solid that causes visible destruction or irreversible alterations in human skin tissue at the site of contact, or a liquid that has a severe corrosion rate on steel or aluminum, in accordance with the following criteria:

(1) A material is considered to be destructive or to cause irreversible alteration in human skin tissue if, when tested on the intact skin of an albino rabbit by the technique described in Appendix A to this part, the structure of the tissue at the site of contact is destroyed or changed irreversibly after an exposure period of 4 hours or less.

(2) A liquid is considered to have a severe corrosion rate if its corrosion rate exceeds 6.25mm (0.246 inches) a year on steel (SAE 1020) or aluminum (nonclad 7075–T6) at a test temperature of 55 °C (131 °F). An acceptable test is described in NACE Standard TM–01–69.

(b) If human experience or other data indicate that the hazard of a material is greater or less than indicated by the results of the tests specified in paragraph (a) of this section, the Department may revise its classification or make the material subject to the requirements of this subchapter.

§ 173.137 Class 8—Assignment of Packing Group.

The packing group of Class 8 material is as indicated in Column 5 of the § 172.101 Table. When the § 172.101 Table provides more than one packing group for a hazardous material, the packing group shall be determined by applying the following criteria:

(a) *Packing Group I.* Substances that cause visible necrosis of the skin tissue at the site of contact when tested on the intact skin of an animal for a period of not more than 3 minutes.

(b) *Packing Group II.* Substances, other than those meeting Packing Group I criteria, that cause visible necrosis of the skin tissue at the site of contact when tested on the intact skin of an animal for a period of not more than 60 minutes.

(c) *Packing Group III.* Substances, other than those meeting Packing Group I or II criteria—

(1) That cause visible necrosis of the skin tissue at the site of contact when tested on the intact skin of an animal for a period of not more than 4 hours; or

(2) Which have a corrosion rate on steel or aluminum surfaces exceeding 6.25 mm (0.246 inches) a year at a test temperature of 55 °C (131 °F).

§ 173.140 Class 9—Definitions.

(a) For the purpose of this subchapter, "miscellaneous hazardous material" (Class 9) means a material which presents a hazard during transport, but which is not included in any other hazard class. Included in this class is any material which has an anesthetic, noxious or other similar property which could cause extreme annoyance or discomfort to a flight crew member so as to prevent the correct performance of assigned duties.

§ 173.141 Class 9—Assignment of Packing Group.

The packing group of a Class 9 material is as indicated in Column 5 of the § 172.101 Table.

§ 173.144 Other Regulated Materials (ORM)—Definitions.

(a) For the purpose of this subchapter, "ORM–D material" means a material such as a consumer commodity which, though otherwise subject to the regulations of this subchapter, presents a limited hazard during transportation due to its form, quantity and packaging. It must be a material for which exceptions are provided in the § 172.101 Table. Each ORM–D material or category of ORM–D material is listed in the § 172.101 Table.

(b) For the purpose of this subchapter, "ORM–E material" means a material that is not included in any other hazard class, but is subject to the requirements of this subchapter because it meets the definition in § 171.8 of this subchapter for a hazardous substance or a hazardous waste.

§ 173.145 Other Regulated Materials—Assignment of Packing Group.

(a) The packing group of an ORM–E material is as indicated in Column 5 of the § 172.101 Table.

(b) Packing groups are not assigned to ORM–D materials.

§ 173.150 Exceptions for Class 3 (flammable and combustible liquids).

(a) *General.* Exceptions for hazardous materials shipments in the following paragraphs are permitted only if this section is referenced for the specific hazardous material in the § 172.101 Table of this subchapter and the material does not meet the definition of another hazard class.

(b) *Limited quantities.* Limited quantities of flammable liquids (Class 3) are excepted from labeling, unless offered or intended for transportation by aircraft, and the specification packaging requirements of this subchapter when packaged in combination packagings according to this paragraph. In addition, shipments of limited quantities are not subject to Subpart F (Placarding) of Part 172 of this subchapter. Each package must conform to the packaging requirements of Subpart B of this part and may not exceed 30 kilograms (66.1 pounds) gross weight. The following combination packagings are authorized:

(1) For flammable liquids in Packing Group I, inner packagings not over 0.5 liter (0.53 quart) net capacity each, packed in strong outer packagings;

(2) For flammable liquids in Packing Group II, inner packagings not over 1.0 liters (1.06 quarts) net capacity each, packed in strong outer packaging; and

(3) For flammable liquids in Packing Group III, inner packagings not over 4.0 liters (1.06 gallons) net capacity each, packed in strong outer packagings.

(c) *Consumer commodities.* A limited quantity which conforms to the provisions of paragraph (b) of this section and is a "consumer commodity" as defined in § 171.8 of this subchapter, may be renamed "Consumer commodity" and reclassed as ORM–D material. In addition to the exceptions provided by paragraph (b), shipments of ORM–D materials are not subject to the shipping paper requirements of Subpart C of Part 172, unless offered or intended for transportation by aircraft, and are eligible for the exceptions provided in § 173.156.

(d) *Alcoholic beverages.* Alcoholic beverages (wine and distilled spirits as defined in 27 CFR 4.10 and 5.11) in packagings of four liters or less are not subject to the requirements of this subchapter.

(e) *Aqueous solutions of alcohol.* An aqueous solution containing 24 percent or less alcohol by volume and no other hazardous material—

(1) May be reclassed as a combustible liquid; and

(2) Is not subject to the requirements of this subchapter if it contains no less than 50 percent water.

(f) *Combustible liquids.* (1) Except for transportation by vessel or aircraft, a flammable liquid with a flash point at or above 38 °C (100 °F) may be reclassed as a combustible liquid.

(2) Unless otherwise stated for a specific material, the requirements in this subchapter do not apply to a material classed as a combustible liquid in a non-bulk packaging unless the combustible liquid is a hazardous substance or a hazardous waste.

(3) A combustible liquid that is a hazardous substance or a hazardous waste, in a non-bulk packaging, and a combustible liquid in a bulk packaging is not subject to the requirements of this subchapter except those pertaining to:

(i) Shipping papers, waybills, switching orders, and hazardous waste manifests;

(ii) Marking of packages;

(iii) Display of identification numbers on bulk packages;

(iv) Placarding of bulk packagings;

(v) Carriage aboard aircraft and vessels (for packaging requirements for transport by vessel see § 176.340 of this subchapter);

(vi) Reporting incidents as prescribed by §§ 171.15, 171.16, and 171.17 of this subchapter;

(vii) Packaging requirements of Subpart B of this part; and

(viii) The requirements of §§ 173.1, 173.21, 173.24, 173.24a, 173.24b, 174.1, 177.804, 177.817, and 177.834 of this subchapter.

(4) A combustible liquid that is not a hazardous substance or a hazardous waste is not subject to the requirements of this subchapter if it is a mixture of one or more components that—

(i) Have a flash point at or above 93.30 °C (200 °F),

(ii) Comprise at least 99 percent of the volume of the mixture, and

(iii) Is not offered for transportation or transported as a liquid at a temperature at or above its flash point.

§ 173.151 Exceptions for Division 4.1 (flammable solids).

(a) *General.* Exceptions for hazardous materials shipments in the following paragraphs are permitted only if this section is referenced for the specific hazardous material in the § 172.101 Table of this subchapter.

(b) *Limited quantities of Division 4.1 flammable solids.* Limited quantities of flammable solids (Division 4.1) in Packing Groups II and III are excepted from labeling, unless offered or intended for transportation by aircraft, and the specification packaging requirements of this subchapter when packaged in combination packagings according to this paragraph. In addition, shipments of limited quantities are not subject to Subpart F (Placarding) of Part 172 of this subchapter. Each package must conform to the packaging requirements of Subpart B of this part and may not exceed 30 kilograms (66.1 pounds) gross weight. The following combination packagings are authorized:

(1) For flammable solids in Packing Group II, inner packagings not over 1.0 kilogram (2.20 pounds) net capacity each, packed in strong outer packagings; and

(2) For flammable solids in Packing Group III, inner packagings not over 5.0 kilograms (11.02 pounds) net capacity each, packed in strong outer packagings.

(c) *Consumer commodities.* A limited quantity which conforms to the provisions of paragraph (b) of this section, and charcoal briquettes in packagings not exceeding 30 kilograms (66.1 pounds) gross weight, may be renamed "Consumer commodity" and reclassed as ORM–D material, if the material is a "consumer commodity" as defined in § 171.8 of this subchapter. In addition to the exceptions provided by paragraph (b) of this section, shipments are not subject to the shipping paper requirements of Subpart C of Part 172, unless offered or intended for transportation by aircraft, and are eligible for the exceptions provided in § 173.156.

§ 173.152 Exceptions for Division 5.1 (oxidizers) and Division 5.2 (organic peroxides).

(a) *General.* Exceptions for hazardous materials shipments in the following paragraphs are permitted only if this section is referenced for the specific hazardous material in the § 172.101 Table of this subchapter.

(b) *Limited quantities.* Limited quantities of oxidizers (Division 5.1) and organic peroxides (Division 5.2) in Packing Groups II and III are excepted from labeling, unless offered or intended for transportation by aircraft, and the specification packaging requirements of this subchapter when packaged in combination packagings according to this paragraph. In addition, shipments of these limited quantities are not subject to Subpart F of Part 172 (Placarding) of this subchapter. Each package must conform to the packaging requirements of Subpart B of this part and may not exceed 30 kilograms (66.1 pounds) gross weight. The following combination packagings are authorized:

(1) For oxidizers in Packing Group II, inner packagings not over 1.0 liter (1.06 quarts) net capacity each for liquids or not over 1.0 kilogram (2.20 pounds) net capacity each for solids, packed in strong outer packagings.

(2) For oxidizers in Packing Group III, inner packagings not over 4.0 L (1.06 gallons) net capacity each for liquids or not over 5.0 kilograms (11.02 pounds) net capacity each for solids, packed in strong outer packagings.

(3) For organic peroxides in Packing Groups II and III, inner packagings not over 30 milliliters (1.0 ounce) net capacity for liquids or 30 grams (1.1 ounces) net capacity for solids, packed in strong outer packagings.

(c) *Consumer commodities.* A limited quantity which conforms to the provisions of paragraph (b) of this section and is a "consumer commodity" as defined in § 171.8 of this subchapter, may be renamed "Consumer commodity" and reclassed as ORM–D material. In addition to the exceptions provided by paragraph (b), shipments are not subject to the shipping paper requirements of Subpart C of Part 172, unless offered or intended for transportation by aircraft, and are eligible for the exceptions provided in § 173.156.

§ 173.153 Exceptions for Division 6.1 (poisonous materials).

(a) *General.* Exceptions for hazardous materials shipments in the following paragraphs are permitted only if this section is referenced for the specific hazardous material in the § 172.101 Table of this subchapter.

(b) *Limited quantities of Division 6.1 materials.* Limited quantities of poisonous materials (Division 6.1) in Packing Group III are excepted from the specification packaging requirements of this subchapter when packaged in combination packagings according to this paragraph. In addition, shipments of these limited quantities are not subject to Subpart F of Part 172 (Placarding) of this subchapter. Each package must conform to the packaging requirements of Subpart B of this part and may not exceed 30 kilograms (66.1 pounds) gross weight. The following combination packagings are authorized:

(1) For poisonous liquids, inner packagings not over 4.0 liters (1.06 gallons) net capacity each, packed in strong outer packagings; and

(2) For poisonous solids, inner packagings not over 5.0 kilograms (11.02 pounds) net capacity each, packed in strong outer packagings.

(c) *Consumer commodities.* The following provisions apply to consumer commodities:

(1) A limited quantity which conforms to the provisions of paragraph (b) of this section and is a "consumer commodity" as defined in § 171.8 of this subchapter, may be renamed "Consumer commodity" and reclassed as ORM–D material.

(2) A poisonous material which is a drug or medicine and is a "consumer commodity" as defined in § 171.8 of this subchapter, may be renamed "Consumer commodity" and reclassed as ORM–D material if packaged in a combination packaging not exceeding 30 kilograms (66.1 pounds) with inner packagings not over 250 milliliters (8.5 ounces) net capacity for liquids or 250 grams (8.8 ounces) net capacity for solids packed in strong outer packagings. Each package must conform to the packaging requirements of Subpart B of this part.

(3) Packages of ORM–D material are excepted from the specification packaging requirements of this subchapter and from the labeling requirements of Subpart E of Part 172. Shipments of ORM–D material are eligible for the exceptions provided in § 173.156 and in paragraph (b) of this section and are not subject to the shipping paper requirements of Subpart C of Part 172, unless offered or intended for transportation by aircraft.

§ 173.154 Exceptions for Class 8 (corrosive materials).

(a) *General.* Exceptions for hazardous materials shipments in the following paragraphs are permitted only if this section is referenced for the specific hazardous material in the § 172.101 Table of this subchapter.

(b) *Limited quantities.* Limited quantities of corrosive materials (Class 8) in Packing Groups II and III are excepted from labeling, unless offered or intended for transportation by aircraft, and the specification packaging requirements of this subchapter when packaged in combination packagings according to this paragraph. In addition, shipments of these limited quantities are not subject to Subpart F (Placarding) of Part 172 of this subchapter. Each package must conform to the packaging requirements of Subpart B of this part and may not exceed 30 kilograms (66.1 pounds) gross weight. The following combination packagings are authorized:

(1) For corrosive materials in Packing Group II, in inner packagings not over 1.0 liters (1.06 quarts) net capacity each for liquids or not over 1.0 kilograms (2.2 pounds) net capacity each for solids, packed in strong outer packagings.

(2) For corrosive materials in Packing Group III, in inner packagings not over 4.0 liters (1.06 gallons) net capacity each for liquids or not over 5.0 kilograms (11.02 pounds) net capacity each for solids, packed in strong outer packagings.

(c) *Consumer commodities.* A limited quantity which conforms to the provisions of paragraph (b) of this section and is a "consumer commodity" as defined in § 171.8 of this subchapter may be renamed "Consumer commodity" and reclassed as ORM–D material. In addition to the exceptions provided by paragraph (b) of this section, shipments of ORM–D materials are not subject to the shipping paper requirements of Subpart C of Part 172, unless offered or intended for transportation by aircraft, and are eligible for the exceptions provided in § 173.156.

(d) *Materials corrosive to aluminum or steel only.* Except for a hazardous substance or a hazardous waste, a material classed as a Class 8, Packing Group III, material solely because of its corrosive effect—

(1) On aluminum is not subject to any other requirements of this subchapter when transported by motor vehicle or rail car in a packaging constructed of materials that will not react dangerously with or be degraded by the corrosive material;

(2) On steel is not subject to any other requirements of this subchapter when transported by motor vehicle or rail car in a bulk packaging constructed of materials that will not react dangerously with or be degraded by the corrosive material.

§ 173.155 Exceptions for Class 9 (miscellaneous hazardous materials).

(a) *General.* Exceptions for hazardous materials shipments in the following paragraphs are permitted only if this section is referenced for the specific hazardous material in the § 172.101 Table of this subchapter.

(b) *Limited quantities.* Limited quantities of miscellaneous hazardous materials (Class 9) are excepted from the specification packaging requirements of this subchapter when packaged in combination packagings according to this paragraph. In addition, shipments of these limited quantities are not subject to Subpart F (Placarding) of Part 172 of this subchapter. Each package must conform to the packaging requirements of Subpart B of this part and may not exceed 30 kilograms (66.1 pounds) gross weight. The following combination packagings are authorized:

(1) For liquids, inner packagings not over 4.0 liters (1.06 gallons) net capacity each, packed in strong outer packagings.

(2) For solids, inner packagings not over 5.0 kilograms (11.02 pounds) net capacity each, packed in strong outer packagings.

(c) *Consumer commodities.* A limited quantity which conforms to the provisions of paragraph (b) of this section and is a "consumer commodity" as defined in § 171.8 of this subchapter, may be renamed "Consumer commodity" and reclassed as ORM–D material. In addition to the exceptions provided by paragraph (b), shipments of ORM–D materials are not subject to the shipping paper requirements of Subpart C of Part 172, unless offered or intended for transportation by aircraft, and are eligible for the exceptions provided in § 173.156.

§ 173.156 Exceptions for ORM materials.

(a) *General.* Exceptions for hazardous materials shipments in the following paragraphs are permitted only if this section is referenced for the specific hazardous material in the § 172.101 Table or in a packaging section in this part.

(b) *ORM–D.* Packagings for ORM–D materials are specified according to hazard class in §§ 173.150 through 173.155 and in § 173.306. In addition to other exceptions specified for ORM–D materials in this part, strong outer packagings as specified in this part and the marking requirements specified in § 172.316 of this subchapter are not required for materials classed as ORM–D when unitized in cages, carts or similar overpacks and when transported by a private or contract motor carrier from a distribution center to a retail outlet.

(c) *ORM–E.* Limited quantities of ORM–E materials are excepted from the specification packaging requirements of this subchapter when packaged according to this paragraph. Each package must conform to the packaging requirements of Subpart B of this part and may not exceed 30 kilograms (66.1 pounds) gross weight. The following combination packagings are authorized:

(1) For liquids, inner packagings not over 4.0 liters (1.06 gallons) net capacity each, packed in strong outer packagings; and

(2) For solids, inner packagings not over 5.0 kilograms (11.02 pounds) net capacity each, packed in strong outer packagings.

Subpart E—Non-Bulk Packaging for Hazardous Materials Other Than Class 1 and Class 7

§ 173.158 Nitric Acid.

(a) Nitric acid exceeding 40 percent concentration may not be packaged with any other material.

(b) Nitric acid in any concentration which does not contain sulfuric acid or hydrochloric acid as impurities, when offered for transportation by rail, highway, or water shall be packaged in specification containers as follows:

(1) 1A1 stainless steel drums are authorized, subject to the following limitations:

(i) Stainless steel used in drums must conform to the following thicknesses:

Nominal (marked) capacity (in liters) of 1A1 drum	Minimum thickness (in millimeters) of stainless steel
55	0.9
115	1.2
210	1.5
450	2.0

(ii) Drums weighing less than 85 percent of their original tare weight may not be used.

(iii) Type 304 or other grades of equivalent corrosion-resistant steels in the as-welded condition are permissible for nitric acid concentrations up to and including 78 percent.

(iv) For all concentrations of nitric acid, the following are permissible:

(A) Type 304 heat-treated (quenched in water at 1900°F.), or

(B) Stabilized Type 347 in the as-welded condition, or

(C) Stabilized Type 347 stress-relieved (1550–1650°F), or

(D) Stabilized Type 347 heat-treated (quenched in water at 1900°F), or

(E) Other grades of equivalent corrosion resistance.

(v) All parts of drum exposed to lading must be capable of withstanding the corrosive effect of nitric acid to the extent that 65 percent boiling nitric acid does not penetrate the metal more than 0.0381 mm (0.0015 inch) per month. (ASTM A 262 may be used for a suitable corrosion test procedure.)

(vi) In addition to marking required by § 178.503 of this subchapter, the following marks, in lettering of at least ½ inch (12.7 mm) height, must be placed on drums used to transport nitric acid:

(A) The type of steel used in body and head sheets as identified by American Iron and Steel Institute type number, and, in addition, the letters HT following the steel designation on containers subject to stress relieving or heat treatment during manufacture.

(B) The thickness in millimeters of metal in thinnest part. When the thickness of metal in the body differs from that in the head, both must be indicated with slanting line between and with the gauge of the body indicated first.

(C) Original tare weight in kilograms, preceded by the letters "TW."

An example of the markings required by paragraph (b)(1)(vi) (A), (B), and (C) of this section "304HT/1.9/2.7/TW55."

(2) 4H1 expanded plastics outer packagings with glass inner receptacles of not greater than 2.5 liters (2.64 quarts) capacity each. No more than four 2.5 liter inner receptacles may be packed in one outer packaging.

(c) Nitric acid of 80 percent or greater concentration which does not contain sulfuric acid or hydrochloric acid as impurities, when offered for transportation by rail, highway, or water may be packaged in 1B1 aluminum drums.

(d) Nitric acid of 90 percent or greater concentration, when offered for transportation by rail, highway, or water may be packaged in 4C1, 4C2, 4D or 4F wooden boxes with inner packagings consisting of glass bottles further individually overpacked in tightly closed metal packagings. Glass bottles must be of 2.5 liters (2.64 quarts) or less capacity and cushioned within the metal packagings.

(e) Nitric acid of less than 90 percent concentration, when offered for transportation by rail, highway, or water may be packaged in 4C1, 4C2, 4D or 4F wooden boxes with inside glass packagings of not over 2.5 liters (2.64 quarts) capacity each.

(f) Nitric acid of 70 percent or less concentration, when offered for transportation by rail, highway, or water, may be packaged as follows:

(1) In composite packagings 6PA1, 6PA2, 6PB1, 6PB2, 6PC, 6PD1, 6PH1, or 6PH2.

(2) In 4H1 expanded plastic boxes with inner glass packagings of not over 2.5 liters (2.64 quarts) each.

(g) Nitric acid of more than 70 percent concentration, when offered for transportation by cargo aircraft only, must be packaged in combination packagings with 1A2, 1B2, 1D, 1G, 1H2, 3H2, 4C1, 4C2, 4D, 4F or 4G outer packagings with glass or earthenware inner packagings of not over 1 liter (2.11 pints) or glass ampoules of not over 0.5 liter (1.06 pints).

(h) Nitric acid of less than 70 percent concentration, when offered for transportation in cargo aircraft only must be packaged in combination packagings with 1A2, 1B2, 1D, 1G, 1H2, 3H2, 4C1, 4C2, 4D, 4F or 4G outer packagings with inner packagings of—

(1) Glass or earthenware not over 2.5 liter (2.64 quarts) capacity;

(2) Plastic not over 2.5 liter (2.64 quarts) capacity; or

(3) Glass ampoule not over 0.5 liter (1.06 pints) capacity.

§ 173.159 Batteries, wet.

(a) Electric storage batteries, containing electrolyte acid or alkaline corrosive battery fluid, must be completely protected so that short circuits will be prevented; they may not be packed with other materials except as provided in §§ 173.220 and 173.222 of this part and paragraphs (h) and (i) of this section.

(b) The following specification packagings are authorized for batteries packed without other materials:

(1) 4C1, 4C2, 4D, or 4F wooden boxes.

(2) 4G fiberboard boxes.

(c) The following non-specification packagings are authorized for batteries packed without other articles:

(1) Electric storage batteries protected against short circuits and firmly secured to skids or pallets capable of withstanding the shocks normally incident to transportation, are authorized for transportation by rail, highway, or water. The height of the completed unit must not exceed 1½ times the width of the skid or pallet. The unit must be capable of withstanding, without damage, a superimposed weight equal to two times the weight of the unit or, if the weight of the unit exceeds 2,000 pounds (907.2 kg), a superimposed weight of 4,000 pounds (1814.4 kg). Battery terminals must not be relied upon to support any part of the superimposed weight.

(2) Electric storage batteries weighing 500 pounds (226.8 kg) or more, consisting of carriers' equipment, may be shipped by rail when mounted on suitable skids and protected against short circuits. Such shipments must not be offered in interchange service.

(3) One to three batteries not over 25 pounds (11.3 kg) each packed in outer boxes. The maximum authorized gross weight is 75 pounds (34.0 kg).

(4) Not more than four batteries not over 15 pounds (6.8 kg) each, packed in strong outer fiberboard or wooden boxes. Batteries must be securely cushioned and packed to prevent short circuits. The maximum authorized gross weight is 65 pounds (29.5 kg).

(5) Not more than five batteries not over 10 pounds (4.5 kg) each, packed in strong outer fiberboard or wooden boxes. Batteries must be securely cushioned and packed to prevent short circuits. The maximum authorized gross weight is 65 pounds (29.5 kg).

(6) Single batteries not exceeding 75 pounds (34.0 kg) each, packed in 5-sided slipcovers or in completely closed fiberboard boxes. Slipcovers and boxes must be of solid or double-faced corrugated fiberboard of at least 200 pounds (9.07 kg) Mullen test strength. The slipcover or fiberboard box must fit snugly and provide inside top clearance of at least ½ inch (1.27 cm) above battery terminals and filler caps with reinforcement in place. Assembled for shipment, the bottom edges of the slipcover must come to within one inch (2.54 cm) of the bottom of the battery. The completed package (battery and box or slipcover) must be capable of withstanding a top-to-bottom compression test of at least 500 pounds (226.8 kg) without damage to battery terminals, cell covers or filler caps.

(d) Nonspillable wet electric storage batteries capable of withstanding the following two tests without leakage of battery fluid are excepted from all other requirements of this subchapter when

protected against short circuits and securely packaged:

(1) *Vibration test.* The battery must be rigidly clamped to the platform of a vibration machine and a simple harmonic motion having an amplitude of 0.8 mm (0.03 inch), with a 1.6 mm (0.06 mm) maximum total excursion must be applied. The frequency must be varied at the rate of 1 Hz/min between the limits of 10 Hz to 55 Hz. The entire range of frequencies and return must be traversed in 95 ± 5 minutes for each mounting position (direction of vibrator) of the battery. The battery must be tested in three mutually perpendicular positions (to include testing with fill openings and vents, if any, in an inverted position) for equal time periods.

(2) *Pressure differential test.* Following the vibration test, the battery must be stored for six hours at 24 °C ± 4 °C (75.2 °F ± 7.2 °F) while subjected to a pressure differential of at least 88 kPa (12.8 psi). The battery must be tested in three mutually perpendicular positions (to include testing with fill openings and vents, if any, in an inverted position) for at least six hours in each position.

(e) Electric storage batteries containing electrolyte or corrosive battery fluid are not subject to the requirements of this subchapter for carriage by highway or rail if all of the following requirements are met:

(1) No other hazardous materials may be transported in the same vehicle,

(2) The batteries must be loaded or braced so as to prevent damage and short circuits in transit,

(3) Any other material loaded in the same vehicle must be blocked, braced, or otherwise secured to prevent contact with or damage to the batteries, and

(4) The transport vehicle may not carry material shipped by any person other than the shipper of the batteries.

(f) Electric storage batteries, containing electrolyte or corrosive battery fluid in a coil from which it is injected into the battery cells by a gas generator and initiator assembled with the battery, and which are nonspillable under the criteria of paragraph (d) of this section, are excepted from other requirements of this subchapter when examined by the Bureau of Explosives and approved by the Director, OHMT.

(g) Electrolyte, acid, or alkaline corrosive battery fluid, packed with storage batteries wet or dry, must be packed in one of the following specification packagings:

(1) In 4C1, 4C2, 4D, or 4F wooden boxes with inner receptacles of glass, not over 4.0 liters (1.06 gallons) each with not over 8.0 liters (2.11 gallons) total in each outside container. Inside containers must be well-cushioned and separated from batteries by a strong solid wooden partition. The completed package must conform to Packing Group III requirements.

(2) Electrolyte, acid, or alkaline corrosive battery fluid included with storage batteries and filling kits may be packed in strong plywood or wooden boxes when shipments are made by, for, or to the Departments of the Army, Navy, or Air Force of the United States. Packagings must conform to military specifications. The electrolyte, acid, or alkaline corrosive battery fluid must be packed in polyethylene bottles of not over 1.0 liter (1.06 quarts) capacity each. Not more than 24 bottles, securely separated from storage batteries and kits, may be shipped in each package.

(3) In 4G fiberboard boxes with not more than 12 inside packagings of polyethylene or other material resistant to the lading, each not over 2.0 liters (2.11 quarts) capacity each. Completed packages must conform to Packing Group III requirements. Inner packagings must be adequately separated from the storage battery. The maximum authorized gross weight is 65 pounds (29.5 kg). These packages are not authorized for transportation by aircraft.

(h) Dry storage batteries or battery charger devices may be packaged in 4G fiberboard boxes with inner receptacles containing battery fluid. Completed packagings must conform to Packing Group III requirements. Not more than 12 inner receptacles may be packed in one outer box. The maximum authorized gross weight is 75 pounds (34.0 kg).

§ 173.160 Bombs, smoke, non-explosive (corrosive).

Bombs, smoke, non-explosive, may be shipped provided they are without ignition elements, bursting charges, detonating fuses or other explosive components. They must be packaged in wooden (4C1, 4C2), plywood (4D) or reconstituted wood (4F) boxes, or plywood drums (1D), which meet Packing Group II requirements.

§ 173.161 Chemical kits.

(a) Except as otherwise provided, chemical kits must be packed, marked, and labeled as prescribed by this subchapter for the specific corrosive materials contained therein.

(b) Chemical kits containing limited quantities of corrosive liquids in inner receptacles of not over 6 fluid ounces (177.4 mL) capacity each are excepted from labeling (except when offered for transportation by air) and the specification packaging requirements of this subchapter if all of the following requirements are met:

(1) The kit may contain only corrosive liquids for which packaging exceptions are provided in the § 172.101 table.

(2) The kit must be a strong wooden or metal outer packaging, or must be packed in a strong wooden or metal packaging.

(3) The corrosive liquids must be cushioned with sufficient absorbent material to completely absorb the contents of the individual containers, and must be protected from damage by other materials in the kit.

(4) The contents of the kit must be of a nature and packed so there will be no possibility of the mixture of contents causing dangerous evolution of heat or gas.

In addition, these shipments are not subject to Subpart F of Part 172 of this subchapter (Placarding), to Part 174 (Carriage by rail) of this subchapter except § 174.24 (Shipping papers) and to Part 177 (Carriage by highway) of this subchapter except § 177.817 (Shipping papers).

(c) Except as provided in paragraph (b) of this section, chemical kits must be packed in 4G fiberboard boxes with inner glass receptacles of not over one liter (1.06 quart) capacity each, securely cushioned and separated from other inside containers. The contents of the kit must be of such a nature and so packed that there will be no possibility of the mixture of contents causing dangerous evolution of heat or gas.

§ 173.162 Gallium.

Gallium metal must be packaged in packagings intended to contain liquids consisting of semi-rigid plastic inner packagings of not more than 2.5 kg (5.51 pounds) net capacity each, individually enclosed in a sealed leak-tight bag of strong puncture-resistant material. The sealed bags must be packed in wooden (4C1, 4C2), plywood (4D), reconstituted wood (4F), fiberboard (4G) or plastic (4H1, 4H2) boxes or in fiber (1G) or steel (1A2) drums, which are lined with leak-tight, puncture-resistant material. Bags and liner material must be chemically resistant to gallium. If it is desired to maintain the gallium in a completely solid state, the above packaging may be overpacked in a strong, water-resistant outer packaging which contains dry ice or other means of refrigeration. If a refrigerant is used, all of the above materials used in the packaging of gallium must be chemically and physically resistant to the refrigerant and must have impact resistance at the low temperatures of the refrigerant employed. If dry ice is used, the outer packaging must permit the release of carbon dioxide gas. Completed

packaging must meet Packing Group I requirements for transportation by aircraft and Packing Group III requirements for transportation by vessel.

§ 173.163 Hydrogen fluoride.

Hydrogen fluoride (hydrofluoric acid, anhydrous) must be shipped in Specification 3, 3A, 3AA, 3B, 3C, 3E, 4, 4A, 25, or 38 cylinders; or Specification 4B, 4BA, 4BW or 4C cylinders, if they are not brazed. Filling density must not exceed 85 percent of the water weight capacity of the cylinder. Cylinders used exclusively in this service may, in lieu of the periodic hydrostatic retest required by § 173.34(e), be given a complete external visual inspection as described in CGA Pamphlet C–6, at the time such periodic retest becomes due. Such inspections shall be made on cylinders cleaned to bare metal. The results shall be recorded on a data sheet, completed copies of which shall be kept as prescribed in § 173.34(e)(5). Items which must be checked and recorded on these data sheets are: Date of inspection (month and year); DOT specification number; cylinder identification (registered symbol and serial number, date of manufacture, and if needed for adequate identification, ownership symbol); tare weight; physical condition (record specifically any leakage, corrosion, gouges, dents or digs in shell or heads, broken or damaged footring or protective ring or fire damage); disposition of cylinders (returned to service, to cylinder manufacturer for repairs, or scrapped). A cylinder which passes the inspection prescribed shall have the data recorded in the manner presently prescribed for the recording of the retest date except that an "E" is to follow the date (month and year) indicating requalification by the external inspection method. Cylinders removed from this service for any reason must be rendered unfit for any other regulated service.

§ 173.164 Mercury (metallic and articles containing mercury).

(a) For transportation by aircraft, mercury shall be packaged in packagings which meet the requirements of Part 178 at the Packing Group I performance level, as follows:

(1) In earthenware or glass or suitable plastic inner packagings of not more than 250 mL (8.5 ounces) capacity each, packed in steel drums (1A2), steel jerricans (3A2), wooden (4C1, 4C2), plywood (4D), fiberboard (4G) or reconstituted wood (4F) boxes, plywood drums (1D) or fiber drums (1G) with sufficient cushioning material to prevent breakage. Either the inner packagings or the outer packagings must have inner linings or bags of strong leakproof and puncture-resistant material impervious to mercury, completely surrounding the contents, which will prevent the escape of mercury from the package irrespective of its position.

(2) Iron or steel 'quicksilver flasks' packaged in steel drums (1A2), steel jerricans (3A2), wooden (4C1, 4C2), plywood (4D), fiberboard (4G) or reconstituted wood (4F) boxes, plywood drums (1D) or fiber drums (1G) with leakproof linings as in subparagraph (1) of this paragraph.

(3) In welded steel bottles with inner vaulted bottoms as single packagings. The closure must be a bolt with a conical thread, and the opening must not exceed 20 mm (0.8 inches). The maximum net mass must not exceed 35 kg (77.2 pounds).

(b) Manufactured articles or apparatuses containing mercury are excepted from the specification packaging requirements of this subchapter, when packaged as follows:

(1) Manufactured articles or apparatuses of which metallic mercury is a component part, such as manometers, pumps, thermometers, switches, etc. (for electron tubes, mercury vapor tubes and similar tubes, see paragraph (b)(2) of this section), must be in strong outer packagings, having sealed inner liners or bags of strong leakproof and puncture-resistant material impervious to mercury, which will prevent the escape of mercury from the package irrespective of its position. Mercury switches and relays are excepted from these requirements, if they are of the totally enclosed leakproof type in sealed metal or plastic units. Thermometers, switches and relays, each containing a total quantity of not more than 15 g (0.5 ounces) of mercury, are also excepted if installed as an integral part of a machine or apparatus and so fitted that shock of impact damage, leading to leakage of mercury, is unlikely to occur under conditions normally incident to transport;

(2) Electron tubes, mercury vapor tubes and similar tubes must be packaged as follows:

(i) Tubes which are packed in strong outer packagings with all seams and joints sealed with self-adhesive, pressure-sensitive tape which will prevent the escape of mercury from the package, are authorized up to a total net quantity of 450 g (15.9 ounces) of mercury per package;

(ii) Tubes with more than 450 g (15.9 ounces) of mercury are authorized only when packed in strong outer packagings, having sealed inner liners or bags of strong leakproof and puncture-resistant material impervious to mercury which will prevent escape of mercury from the package irrespective of its position;

(iii) Tubes which do not contain more than 5 g (0.2 ounce) of mercury each and which are packed in the manufacturer's original packagings, are authorized up to a total net quantity of 30 g (1.1 ounces) of mercury per package;

(iv) Tubes which are completely jacketed in sealed leakproof metal cases are authorized in the manufacturer's original packagings;

(3) For electron tubes, mercury vapor tubes, and similar tubes, the shipper must indicate the quantity of mercury on the shipping paper.

(4) Mercurial barometers conforming to paragraph (b)(1) of this section, which are loaded and unloaded from an aircraft under the supervision of, and accompanied in flight by, a National Weather Service official or similar United States agency official, are excepted from any other requirements of this subchapter.

(c) For transportation by other than aircraft, mercury shall be packaged—

(1) In any packaging which meets the requirements of Part 178 at the Packing Group III performance level; or

(2) In non-specification reusable metal packagings.

(d) Except for a hazardous substance or a hazardous waste or for transportation by aircraft or vessel, packages containing less than 1.0 pound (0.45 kg) net weight of mercury are not subject to the requirements of this subchapter.

§ 173.171 Smokeless powder for small arms.

Smokeless powder for small arms may be classed as a flammable solid, for transportation by highway and rail only, subject to the following conditions:

(a) The smokeless powder must be examined for this classification by the Bureau of Explosives and approved by the Director, OHMT;

(b) The total quantity of smokeless powder in one railcar or motor vehicle may not exceed 100 pounds (45.4 kg) net mass; and

(c) Only combination packagings with inner packagings not exceeding 8 pounds (3.6 kg) net mass are authorized. Inner packagings must be arranged and protected so as to prevent simultaneous ignition of the contents. The complete package must be a type examined by the Bureau of Explosives and approved by the Director, OHMT.

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§ 173.172 Aircraft hydraulic power unit fuel tank.

(a) Aircraft hydraulic power unit fuel tanks containing a mixture of anhydrous hydrazine and monomethyl hydrazine (M86 fuel) and designed for installation as complete units in aircraft are excepted from the specification packaging requirements of this subchapter when they conform to either of the following conditions:

(1) The unit must consist of an aluminum pressure vessel made from tubing and having welded heads. Primary containment of the fuel within this vessel must consist of a welded aluminum bladder having a maximum internal volume of 46L (12.2 gallons). The outer vessel must have a minimum design gauge pressure of 1,275 kPa (184.9 psi) and a minimum burst gauge pressure of 2,755 kPa (399.48 psi). Each vessel must be leak-checked during manufacture and before shipment and must be found leakproof. The complete inner unit must be securely packed in non-combustible cushioning material, such as vermiculite, in a strong outer tightly closed metal packaging which will adequately protect all fittings. Maximum quantity of fuel per unit and package is 42L (11.1 gallons); or

(2) The unit must consist of an aluminum pressure vessel. Primary containment of the fuel within this vessel must consist of a welded hermetically sealed fuel compartment with an elastomeric bladder having a maximum internal volume of 46L (12.2 gallons). The pressure vessel must have a minimum design gauge pressure of 5,170 kPa (749.8 psi). Each vessel must be leak-checked during manufacture and before shipment and must be securely packed in non-combustible cushioning material, such as vermiculite, in a strong outer tightly closed metal packaging which will adequately protect all fittings. Maximum quantity of fuel per unit and package is 42L (11.1 gallons).

§ 173.173 Paint, paint-related material, adhesives, and ink.

(a) Except as otherwise provided in this part, the description "Paint" is the proper shipping name for paint, lacquer, enamel, stain, shellac, varnish, liquid aluminum, liquid bronze, liquid gold, liquid wood filler, and liquid lacquer base. The description "Paint-related material" is the proper shipping name for a paint thinning, reducing or removing compound. However, if a more specific description is listed in the § 172.101 Table of this subchapter, that description must be used.

(b) Paint, paint-related material, adhesives, and ink must be packaged as follows:

(1) As prescribed in § 173.202 of this part if it is a Packing Group II material or § 173.203 of this part if it is a Packing Group III material.

(2) In inner glass packagings of not over one liter capacity each or inner metal packagings of not over 5 liters each, packed in a strong outer packaging. Packages must conform to the packaging requirements of Subpart B of this part but need not conform to the requirements of Part 178 of this subchapter.

§ 173.174 Refrigerating machines.

A refrigerating machine assembled for shipment and containing 15 pounds (6.8 kg) or less of a flammable liquid for its operation in a strong, tight receptacle is excepted from labeling (except when offered for transportation by air) and the specification packaging requirements of this subchapter. In addition, shipments are not subject to Subpart F of Part 172 of this subchapter (Placarding), to Part 174 of this subchapter (Carriage by rail) except § 174.24 (Shipping papers) and to Part 177 (Carriage by highway) of this subchapter except § 177.817 (Shipping papers).

§ 173.180 Aircraft thrust devices.

(a) Aircraft thrust devices for assisted take-off and their igniters must be of a type examined by the Bureau of Explosives and approved by the Director, OHMT. They must be properly marked and must be shipped in an inoperable condition, and must be packaged as authorized in paragraph (b) of this section.

(b) Devices must be packed in outer wooden (4C1, 4C2), plywood (4D) or reconstituted wood (4F) boxes with one of the following inner packaging provisions:

(1) Aircraft thrust devices only;

(2) Igniters for aircraft thrust devices only packed in sealed metal inner packagings; or,

(3) Aircraft thrust devices together with igniters in same outer packaging provided igniters are packed separately. Igniters must be packed in strong inner packagings and then in separate sealed metal packagings.

§ 173.181 Pyrophoric materials (liquids).

When the § 172.101 Table specifies that a hazardous material be packaged under this section, only the following non-bulk packagings are authorized:

(a) Specification steel or nickel cylinders prescribed for any compressed gas except acetylene having a minimum design pressure of 175 psi (1206.6 kPa). Cylinders with valves must be:

(1) Equipped with steel valve protection caps or collars, unless overpacked; or

(2) Overpacked in a wooden box (4C1, 4C2, 4D or 4F); fiberboard box (4G), or plastic box (4H1 or 4H2). Cylinders must be secured to prevent movement in the box and, when shipped, must be so loaded that pressure relief devices remain in the vapor space of the cylinder. (See §§ 173.34(d)(7), 174.300(d) and 177.837(d) of this subchapter.)

(b) Wooden boxes (4C1, 4C2, 4D or 4F) or fiberboard boxes (4G) enclosing not more than four strong, tight metal cans with inner receptacles of glass or metal, not over one liter (1.06 quarts) capacity each, having positive screwcap closures adequately gasketed. Inner packagings must be cushioned on all sides with dry, absorbent, incombustible material in a quantity sufficient to absorb the entire contents. The strong, tight metal cans must be closed by positive means, not by friction.

(c) Steel drums (1A2) not exceeding 220 liters (58.1 gallons) capacity each with inner metal cans not over 4.0 liters (1.06 gallons) capacity each, constructed of not less than 28 gauge (0.0149 inch (0.3785 mm) nominal thickness) electro-coated tin plate closed by positive means, not friction.

(1) Inner packagings must have no opening exceeding 26 mm (1.0 inches) diameter and must be surrounded with noncombustible cushioning material.

(2) Net quantity of pyrophoric liquids may not exceed two-thirds of the rated capacity of the outer drum. For example, a 220 liter (58.1 gallon) outer drum may contain no more than 147 liters (38.8 gallons) of pyrophoric liquids.

(3) Each layer of inner containers must be separated by a tin plate separator in addition to cushioning material.

§ 173.182 Barium azide—50 percent or more water wet.

Barium azide—50 percent or more water wet, must be packed in wooden boxes (4C1, 4C2, 4D, or 4F) or fiber drums (1G) with inner glass packagings not over 0.5 kg (1.1 pounds) capacity each. Packagings must have rubber stoppers wire tied for securement. If shipment is to take place at a time freezing weather is anticipated, a suitable antifreeze solution must be used to prevent freezing. Each packaging must conform to the requirements of Part 178 of this subchapter at the Packing Group I performance level.

§ 173.183 Nitrocellulose base film.

Films, nitrocellulose base, must be packaged in packagings conforming to

the requirements of Part 178 of this subchapter at the Packing Group III performance level, as follows:

(a) In steel drums (1A2), aluminum drums (1B2), steel jerricans (3A2), wooden (4C1, 4C2), plywood (4D) or reconstituted wood (4F) boxes or plywood drums (1D) with each reel in a tightly closed metal can or strong cardboard or fiberboard inner packaging with cover held in place by adhesive tape or paper; or

(b) In fiberboard (4G) boxes or fiber drums (1G) with a single tightly closed metal can or strong cardboard or fiberboard inner packaging with cover held in place by adhesive tape or paper; authorized only for not over 600 m (1968.5 ft.) of film.

§ 173.184 Highway or rail fusee.

(a) A fusee is a device designed to burn at a controlled rate and to produce visual effects for signaling purposes. The composition of the fusee must be such that the fusee will not ignite spontaneously or undergo marked decomposition when subjected to a temperature of 75 °C (167 °F) for 48 consecutive hours.

(b) Fusees (highway and railway) must be packaged in steel drums (1A2), steel jerricans (3A2), wooden (4C1, 4C2), plywood (4D) or reconstituted wood (4F) boxes or in fiberboard boxes (4G), plywood (1D) or fiber (1G) drums. If the fusees are equipped with spikes, packagings must have reinforced ends to prevent penetration of spikes through the outer packagings; packages must be capable of passing drop test requirements (§ 178.603 of this subchapter), including at least one drop with spike in a downward position, and other requirements of Part 178 of this subchapter, at the Packing Group II performance level.

§ 173.185 Lithium batteries and cells.

(a) Except as provided in paragraphs (i) and (j) of this section, lithium cells and batteries, containing only metallic lithium and vanadium pentoxide, manganese dioxide, monofluorographite, sulfur dioxide, lithium bromide salts, acetonitrile, propylene carbonate, thionyl chloride, sulphuryl chloride, chlorine poly-carbon monofluoride, lithium tetrachloroaluminate, lithium perchlorate, or lithium tetrafluoroborate, are authorized for transportation when packaged in accordance with paragraphs (b) through (g) and tested in accordance with paragraph (h) of this section. Other types of lithium cells, batteries, and devices containing lithium batteries, must be transported by methods approved by the Director, OHMT.

(b) No cell may contain more than 12 grams (0.42 ounces) of lithium or lithium alloy.

(c) Each cell and battery must be equipped with an effective means of preventing external short circuits.

(d) Each cell and battery must incorporate a safety venting device or be designed in a manner that will preclude a violent rupture when subject to an incident in transportation, such as a dead short.

(e) Batteries containing cells or series of cells connected in parallel must be equipped with diodes to prevent reverse current flow.

(f) Except as provided in paragraph (j) of this section, cells or batteries may not be offered for transportation or transported if any cell has been discharged to the extent that the open circuit voltage is less than two volts or is less than ⅔ of the voltage of the fully charged cell whichever is less.

(g) Lithium cells and batteries must be packaged in packagings conforming to the requirements of Part 178 of this subchapter at the Packing Group II performance level, as follows:

(1) In strong inner fiberboard packagings containing not more than 500 grams (1.10 pounds) of lithium per inner packaging.

(2) For shipment by water, rail or highway, inner packagings must be packed within a wooden box (4C1, 4C2, 4D, or 4F), fiberboard box (4G), fiber drum (1G), or metal drum (1A2 or 1B2).

(3) For shipment by cargo-only aircraft, the inner packaging must be packed in a steel drum (1A2) with a gas tight gasket. The maximum gross weight of the package must not exceed 35 kg (77.18 pounds).

(4) When the outer packaging is a metal drum, inner packagings must be separated from each other and from the outer packaging by at least 25 mm (one inch) of non-combustible cushioning material.

(h) Lithium batteries and cells must be tested as follows:

(1) The cell or battery must be subjected to a thermal stability test at 75 °C (167.0 °F) for 48 hours and must show no evidence of distortion, leakage or internal heating. This test must be performed on at least 10 cells and 1 battery of each type taken from each week's production, or as otherwise approved by the Director, OHMT.

(2) Under application of a direct short, the cell or battery must be rendered inert, preferably without venting (through the use of internal fusing devices). If venting does occur, an open flame must be applied to the venting fumes to prove that an explosive condition does not exist. This test must be performed on at least 3 cells and 1 battery of each type taken from each week's production, or as otherwise approved by the Director, OHMT.

(3) Cells containing no more than 12 grams of lithium metal and also containing lithium molybdenum disulfide and lithium hexafluoroarsenate or vanadium pentoxide, polycarbonmonofluoride, manganese dioxide, titanium disulfide, thionyl chloride and lithium tetrachloroaluminate, lithium tetrafluorobonate or acetonitrile and sulfur dioxide, or thionyl chloride/bromine complex or sulfuryl chloride and chlorine which are hermetically sealed, and batteries constructed of such cells, are excepted from the tests in paragraphs (h) (1) and (2) of this section, and the requirement to use a 1A2 steel drum for transportation by cargo aircraft only as an outer packaging provided that:

(i) The outer packaging conforms to paragraph (g)(2) of this section; and

(ii) Prior to the first shipment, 10 cells or 4 batteries of each type to be offered for transportation, or as otherwise approved by the Director, OHMT, must be tested as follows, without showing any evidence of out-gassing, leakage, loss of weight or distortion:

(A) The cells or batteries must be stored for 6 hours at an absolute pressure of 11.6 kPa (1.68 psi) and a temperature of 24 °C±4 °C; (75.2 °F±7.2 °F);

(B) The cells or batteries must then be subjected to the thermal stability test at 75 °C (167 °F) for 48 hours as required in paragraph (h)(1) of this section;

(C) The cells or batteries must be rigidly clamped to the platform of a vibration machine. A simple harmonic motion having an amplitude of 0.8 mm (1.6 mm maximum total excursion) must be applied. The frequency must be varied at the rate of 1 Hz/min between the limits of 10 Hz to 55 Hz. The entire range of frequencies and return must be traversed in 95±5 minutes for each of three mutually perpendicular mounting positions of the battery and two perpendicular positions of the cells. One of the directions of vibration must be perpendicular to the terminal face of the battery or cell. Open circuit voltage must be observed for 30 seconds during the last quarter of each vibration period. Periodic retesting is not required;

(D) The battery must be secured to a shock testing machine by means of a rigid mount which will support all mounting surfaces of the battery. Each battery must be subjected to a total of three shocks of equal magnitude. The shocks must be applied in each of three

mutually perpendicular directions. Each shock must be applied in a direction normal to a face of the battery. For each shock, the battery must be accelerated in such a manner that during the first 3 milliseconds the minimum average acceleration is 75 g (where g is the local acceleration due to gravity). The peak acceleration must be between 125 g and 175 g.

(i) Lithium batteries comprised of one or more cells are not subject to the requirements of this subchapter, if they meet the following requirements:

(1) Each cell may contain no more than 0.5 gram of lithium or lithium alloy.

(2) Each battery may contain an aggregate quantity of no more than 1 gram of lithium or lithium alloy.

(3) Each cell must be hermetically sealed.

(4) Cells must be separated so as to prevent short circuits.

(5) Batteries must be packed in strong outer packagings except when installed in electronic devices.

(6) If a battery contains more than 0.5 gram of lithium or lithium alloy, it may not contain a liquid or gas that is a hazardous material according to this subchapter unless the liquid or gas, if free, would be completely absorbed or neutralized by other materials in the battery.

(j) Lithium batteries, for disposal, comprised of one or more cells, may be offered for transportation to a permitted storage facility and disposal site by motor vehicle only, if the battery—

(1) When new, contained not more than 12.0 grams (0.42 ounce) of lithium per cell;

(2) Is equipped with an effective means of preventing external short circuits; and

(3) Is packed in a strong outer packaging conforming to the requirements of §§ 173.24 and 173.24a. The packaging need not conform to Part 178 performance requirements.

§ 173.186 Matches.

(a) Matches must be of a type which will not ignite spontaneously or undergo marked decomposition when subjected for 8 consecutive hours to a temperature of 93.3 °C (200 °F).

(b) *Definitions.* (1) "Fusee matches" are matches the heads of which are prepared with a friction sensitive igniter composition and a pyrotechnic composition which burns with little or no flame, but with intense heat.

(2) "Safety matches" are matches combined with or attached to the box, book or card that can be ignited by friction only on a prepared surface.

(3) "Strike anywhere" matches are matches that can be ignited by friction on a solid surface.

(4) "Wax 'Vesta' matches" are matches that can be ignited by friction either on a prepared surface or on a solid surface.

(c) Safety matches and wax "Vesta" matches must be tightly packed in securely closed inner packagings to prevent accidental ignition under conditions normally incident to transportation, and further packed in outer fiberboard, wooden, or other equivalent-type packagings. These matches in outer packagings not exceeding 50 pounds (22.7 kg) gross weight are not subject to any other requirement (except marking) of this subchapter. These matches may be packed in the same outer packaging with materials not subject to this subchapter.

(d) Strike anywhere matches may not be packed in the same outer packaging with any material other than safety matches or wax "Vesta" matches, which must be packed in separate inner packagings.

(e) Packagings. Strike anywhere matches must be tightly packed in securely closed chipboard, fiberboard, wooden, or metal inner packagings to prevent accidental ignition under conditions normally incident to transportation. Each inner packaging may contain no more than 700 strike anywhere matches and must be packed in outer steel drums (1A2), aluminum drums (1B2), steel jerricans (3A2), wooden (4C1, 4C2), plywood (4D), reconstituted wood (4F) or fiberboard (4G) boxes, plywood (1D) or fiber (1G) drums. Gross weight of fiberboard boxes (4G) must not exceed 60 pounds (27.2 kg). Gross weight of other outer packagings must not exceed 100 pounds (45.4 kg).

§ 173.187 Pyrophoric solids, metals or alloys, n.o.s.

Packings for pyrophoric solids, metals, or alloys, n.o.s. must conform to the requirements of Part 178 of this subchapter at the packing group performance level specified in the § 172.101 Table. These materials must be packaged as follows:

(a) In wooden boxes (4C1, 4C2, 4D, or 4F) with inner metal receptacles which have a positive (not friction) means of closure and contain not more than 15 kilograms (33.1 pounds) each.

(b) In steel drums (1A1 or 1A2) with a gross mass not exceeding 150 kg (330.7 pounds) per drum.

(c) In fiberboard boxes (4G) with inner metal receptacles which have a positive (not friction) means of closure and contain not more than 7.5 kilograms (16.53 pounds) each.

(d) In fiber drums (1G) with inner metal receptacles which have a positive (not friction) means of closure and contain not more than 15 kilograms (33.1 pounds) each.

(e) In plywood drums (1D) with inner metal receptacles which have a positive (not friction) means of closure and contain not more than 15 kilograms (33.1 pounds) each.

§ 173.188 White or yellow phosphorus.

Phosphorus, white or yellow, when offered for transportation by rail, highway, or water, must be packaged in water or dry in packagings conforming to the requirements of Part 178 of this subchapter at the Packing Group I performance level, as follows:

(a) When placed in water, it must be packaged in specification packagings as follows:

(1) Wooden boxes (4C1, 4C2, 4D, or 4F) with:

(i) Inner hermetically sealed (soldered) metal cans, enclosed in other hermetically sealed (soldered) metal cans, or

(ii) Inner water-tight metal cans containing not over 0.5 kg (1.0 pounds) of phosphorus with screw-top closures.

(2) Metal drums (1A1 or 1A2), not over 115 liters (30.4 gallons) capacity each.

(b) When dry, it must be cast solid and shipped in packagings as follows:

(1) Metal drums (1A2) not over 115 liters (30.4 gallons) capacity each.

(2) In projectiles or bombs when shipped by, for, or to the Departments of the Army, Navy, or Air Force of the United States Government, without bursting elements.

§ 173.192 Packaging for certain Packing Group I poisonous materials.

When § 172.101 of this subchapter specifies that a poisonous material be packaged under this section, only specification cylinders are authorized, as follows:

(a) Specification 3A1800, 3AA1800, 3AL1800, 3D, 3E1800, or 33 cylinders, under the following conditions:

(1) Specification 3A, 3AA and 3AL cylinders may not exceed 125 pounds (56.7 kg) water capacity (nominal).

(2) Specification 3D and 33 cylinders may not exceed 280 pounds (127 kg) water capacity (nominal).

(3) Specification 3AL cylinders containing arsine or phosphine may only be transported by highway and rail.

(b) Packagings must conform to the requirements of § 173.40 of this part.

(c) For cylinders used for phosgene, the filling density may not exceed 125

percent and a cylinder may not contain more than 150 pounds (68.0 kg) of phosgene.

§ 173.193 Bromoacetone, methyl bromide, chloropicrin and methyl bromide or methyl chloride mixtures, etc.

(a) Bromoacetone must be packaged as follows in wooden boxes (4C1, 4C2, 4D or 4F) with inner glass receptacles or tubes in hermetically sealed metal receptacles in corrugated fiberboard cartons. Bottles must not contain over 500 grams (1.1 pounds) of liquid each and be cushioned in cans with at least 1/2 inch (12.7 mm) of absorbent material. Total amount of liquid in outer box must not exceed 11 kg (24.3 pounds). Packagings must conform to the requirements of Part 178 of this subchapter at the Packing Group I performance level.

(b) Bromoacetone, methyl bromide, chloropicrin and methyl bromide mixtures, chloropicrin and methyl chloride mixtures, and chloropicrin mixtures charged with non-flammable, non-liquefied compressed gas must be packed in Specification 3A, 3AA, 3B, 3C, 3E, 4A, 4B, 4BA, 4BW, or 4C cylinders having not over 250 pounds (113.4 kg) water capacity (nominal).

(c) Cylinders must conform to § 173.40.

§ 173.194 Gas identification sets.

Gas identification sets containing poisonous material must be packaged in packagings conforming to the requirements of Part 178 of this subchapter at the Packing Group I performance level, as follows:

(a) In glass inner receptacles, hermetically sealed, of not over 40 milliliters (1.35 fluid ounces) each. Each glass inner receptacle must in turn be placed in a sealed fiberboard receptacle, cushioned with absorbent material. Not more than 12 fiberboard receptacles must in turn be placed in a fiberboard box (4G). No more than four boxes, well-cushioned, must in turn be placed in a steel cylinder. The cylinder must have a wall thickness of at least 3.7 mm (0.146 inch) and must have a hermetically sealed steel closure.

(b) When the poisonous material is adsorbed in a medium such as activated charcoal or silical gel, gas identification sets may be shipped as follows:

(1) If the poisonous material does not exceed 5 milliliters (0.17 fluid ounce) if a liquid or 5 grams (0.18 ounce) if a solid, it may be packed in glass inner receptacles of not over 120 milliliters (4.1 fluid ounce) each. Each glass receptacle, cushioned with absorbent material must be packed in a hermetically sealed metal can of not less than 0.30 mm (0.0120 inch) wall thickness. Metal cans, surrounded on all sides by at least 25 mm (1 inch) of dry sawdust, must be packed in 4C1, 4C2, 4D or 4F wooden boxes. Not more than 100 milliliters (3.38 fluid ounces) or 100 grams (3.53 ounces) of poisonous materials may be packed in one outer wooden box.

(2) If the poisonous material does not exceed 5 milliliters (0.17 fluid ounce) if a liquid or 20 grams (0.7 ounce) if a solid, it may be packed in glass inner receptacles with screw-top closures of not less than 60 milliliters (2.02 fluid ounces), hermetically sealed. Twelve bottles containing poisonous material, not to exceed 100 milliliters, or grams, or both, may be placed in a plastic carrying case, each glass receptacle surrounded by absorbent cushioning and each separated from the other by sponge rubber partitions. The plastic carrying case must be placed in a tightly fitting fiberboard box which in turn must be placed in a tightly fitting 4C1, 4C2, 4D or 4F wooden box.

§ 173.195 Hydrocyanic acid, liquid (prussic acid) and hydrocyanic acid liquefied.

(a) Hydrocyanic acid, liquid (prussic acid) and hydrocyanic acid liquefied, must be packed in specification cylinders as follows:

(1) As prescribed in § 173.192, or

(2) Specification 3A480, 3A480X, 3AA480, or 3AL1800 metal cylinders of not over 126.08 kg (278 pounds) water capacity (nominal). Shipments in 3AL cylinders are authorized only when transported by highway and rail.

(b) Cylinders may not be charged with more than 0.27 kg (0.6 pound) of liquid per 0.45 kg (1 pound) water capacity of cylinder. Each filled cylinder must be tested for leakage before shipment and must show absolutely no leakage; this test must consist in passing a piece of Guignard's sodium picrate paper over the closure of the cylinder, without the protection cap attached, to detect any escape of hydrocyanic acid from the cylinder. Other equally efficient test methods may be used in place of sodium picrate paper.

(c) Packagings for hydrocyanic acid must conform to § 173.40.

§ 173.196 Infectious substances (etiologic agents).

(a) Authorized packagings and components are as follows:

(1) Inner packagings comprising:

(i) A watertight primary receptacle;

(ii) A watertight secondary packaging; and

(iii) An absorbent material must be placed between the primary receptacle and the secondary packaging. If multiple-primary receptacles are placed in a single secondary packaging they must be wrapped individually to ensure that contact between them is prevented. The absorbent material, such as cotton wool, must be sufficient to absorb the entire contents of all primary receptacles.

(2) An outer packaging which is capable of withstanding the specification performance tests found in § 173.465 or § 173.466. Packages consigned as freight must be at least 100 mm (3.94 inches) in the smallest over all external dimension.

(b) For all packages containing infectious substances, an itemized list of contents must be enclosed between the secondary packaging and the outer packaging.

(c) Although exceptional cases, such as whole organs, may require special packaging, the great majority of infectious substances can and must be packaged according to the following guidelines.

(1) *Lypholized substances.* Primary receptacles include flame-sealed glass ampoules or rubber-stopped glass vials fitted with metal seals.

(2) *Liquid or solid substances.* (i) *Substances shipped at ambient temperatures or higher.* Primary receptacles include those of glass, metal or plastic. Positive means of ensuring a leakproof seal, such as heat seal, skirted stopper or metal crimp seal must be provided. If screw caps are used, they must be reinforced with adhesive tape.

(ii) *Substances shipped refrigerated or frozen (ice, pre-frozen packs, dry ice).* Primary receptacles closed by screw caps must not be used. Ice or dry ice must be placed outside the secondary packagings. Interior supports must be provided to secure the secondary packagings in the original position after the ice or dry ice has dissipated. If ice is used, the packaging must be leakproof. If dry ice is used, the outer packaging must permit the release of carbon dioxide gas.

(iii) *Substances shipped in liquid nitrogen.* Primary receptacles must be heat-sealed. Plastic capable of withstanding very low temperatures must be used instead of glass receptacles. Secondary packaging must also withstand very low temperatures and in most cases will need to be fitted over individual primary receptacles. Requirements for shipment of liquid nitrogen must also be observed.

(d) Whatever the intended temperature of shipment, the primary receptacle and secondary packaging used for infectious substances must be capable of withstanding, without

leakage, an internal pressure which produces a pressure differential of not less than 95 kPa (13.8 psi) and temperatures in the range of −40 °C to +55 °C (−40 °F to +131 °F).

(e) The requirements of this section supplement the requirements of the Department of Health and Human Services contained in 42 CFR Part 72.

(f) Exceptions. The following substances are not subject to any requirements of this subchapter if the items as packaged do not contain any material otherwise subject to the requirements of this subchapter.

(1) Diagnostic specimens.

(2) Biological products.

(3) Cultures of etiologic agents of 50 milliliters (1.67 fluid ounces) or less total quantity in one outside package.

§ 173.198 Nickel carbonyl.

(a) Nickel carbonyl must be packed in specification steel or nickel cylinders as prescribed for any compressed gas except acetylene. A cylinder used exclusively for nickel carbonyl may be given a complete external visual inspection in lieu of the interior hydrostatic pressure test required by § 173.34(e). Visual inspection must be in accordance with CGA Pamphlet C–6.

(b) Packagings for nickel carbonyl must conform to § 173.40.

§ 173.201 Non-bulk packagings for liquid hazardous materials in Packing Group I.

(a) When § 172.101 of this subchapter specifies that a liquid hazardous material be packaged under this section, only non-bulk packagings prescribed in this section may be used for its transportation. Each packaging must conform to the general packaging requirements of Subpart B of Part 173, to the requirements of Part 178 at the Packing Group I performance level, and to the requirements of the special provisions of Column 7 of the § 172.101 Table.

(b) The following combination packagings are authorized:

Outer Packagings

Steel drum: 1A2
Aluminum drum: 1B2
Plywood drum: 1D
Fiber drum: 1G
Plastic drum: 1H2
Steel jerrican: 3A2
Plastic jerrican: 3H2
Steel box: 4A1 or 4A2
Aluminum box: 4B1 or 4B2
Natural wood box: 4C1 or 4C2
Plywood box: 4D
Reconstituted wood box: 4F
Fiberboard box: 4G
Expanded plastic box: 4H1
Solid plastic box: 4H2

Inner Packagings

Glass or earthenware receptacles
Plastic receptacles
Metal receptacles
Glass ampoules

(c) Except for transportation by passenger aircraft, the following single packagings are authorized:

Steel drum: 1A1 or 1A2
Aluminum drum: 1B1 or 1B2
Metal drum other than steel or aluminum: 1N1 or 1N2
Plastic drum: 1H1 or 1H2
Steel jerrican: 3A1 or 3A2
Plastic jerrican: 3H1 or 3H2
Plastic receptacle in steel, aluminum, fiber or plastic drum: 6HA1, 6HB1, 6HG1, 6HH
Plastic receptacle in steel, aluminum, wooden, plywood or fiberboard box: 6HA2, 6HB2, 6HC, 6HD2 or 6HG2
Glass, porcelain or stoneware in steel, aluminum or fiber drum: 6PA1, 6PB1 or 6PG1
Glass, porcelain or stoneware in steel, aluminum, wooden or fiberboard box: 6PA2, 6PB2, 6PC or 6PG2
Glass, porcelain or stoneware in solid or expanded plastic packaging: 6PH1 or 6PH2
Cylinders, specification, as prescribed for any compressed gas, except for Specifications 8 and 3HT

§ 173.202 Non-bulk packagings for liquid hazardous materials in Packing Group II.

(a) When § 172.101 of this subchapter specifies that a liquid hazardous material be packaged under this section, only non-bulk packagings prescribed in this section may be used for its transportation. Each packaging must conform to the general packaging requirements of Subpart B of Part 173, to the requirements of Part 178 at the Packing Group I or II performance level (unless otherwise excepted), and to the particular requirements of the special provisions of Column 7 of the § 172.101 Table.

(b) The following combination packagings are authorized:

Outer Packagings

Steel drum: 1A2
Aluminum drum: 1B2
Plywood drum: 1D
Fiber drum: 1G
Plastic drum: 1H2
Wooden barrel: 2C2
Steel jerrican: 3A2
Plastic jerrican: 3H2
Steel box: 4A1 or 4A2
Aluminum box: 4B1 or 4B2
Natural wood box: 4C1 or 4C2
Plywood box: 4D
Reconstituted wood box: 4F
Fiberboard box: 4G
Expanded plastic box: 4H1
Solid plastic box: 4H2

Inner Packagings

Glass or earthenware receptacles
Plastic receptacles
Metal receptacles
Glass ampoules

(c) Except for transportation by passenger aircraft, the following single packagings are authorized:

Steel drum: 1A1 or 1A2
Aluminum drum: 1B1 or 1B2
Metal drum other than steel or aluminum: 1N1 or 1N2
Plastic drum: 1H1 or 1H2
Wooden barrel: 2C1
Steel jerrican: 3A1 or 3A2
Plastic jerrican: 3H1 or 3H2
Plastic receptacle in steel, aluminum, fiber or plastic drum: 6HA1, 6HB1, 6HG1 or 6HH
Plastic receptacle in steel, aluminum, wooden, plywood or fiberboard box: 6HA2, 6HB2, 6HC, 6HD2 or 6HG2
Glass, porcelain or stoneware in steel, aluminum or fiber drum: 6PA1, 6PB1 or 6PG1
Glass, porcelain or stoneware in steel, aluminum, wooden or fiberboard box: 6PA2, 6PB2, 6PC or 6PG2
Glass, porcelain or stoneware in solid or expanded plastic packaging: 6PH1 or 6PH2
Plastic receptacle in plywood drum: 6HD1
Glass, porcelain or stoneware in plywood drum or wickerwork hamper: 6PD1 or 6PD2
Cylinders, specification, as prescribed for any compressed gas, except for Specifications 8 and 3HT

§ 173.203 Non-bulk packagings for liquid hazardous materials in Packing Group III.

(a) When § 172.101 of this subchapter specifies that a liquid hazardous material be packaged under this section, only non-bulk packagings prescribed in this section may be used for its transportation. Each packaging must conform to the general packaging requirements of Subpart B of Part 173, to the requirements of Part 178 at the Packing Group I, II or III performance level, and to the requirements of the special provisions of Column 7 of the § 172.101 Table.

(b) The following combination packagings are authorized:

Outer Packagings

Steel drum: 1A2
Aluminum drum: 1B2
Plywood drum: 1D
Fiber drum: 1G
Plastic drum: 1H2
Wooden barrel: 2C2
Steel jerrican: 3A2
Plastic jerrican: 3H2
Steel box: 4A1 or 4A2
Aluminum box: 4B1 or 4B2
Natural wood box: 4C1 or 4C2
Plywood box: 4D
Reconstituted wood box: 4F
Fiberboard box: 4G
Expanded plastic box: 4H1
Solid plastic box: 4H2

Inner Packagings

Glass or earthenware receptacles
Plastic receptacles
Metal receptacles
Glass ampoules

(c) The following single packagings are authorized:

Steel drum: 1A1 or 1A2
Aluminum drum: 1B1 or 1B2
Metal drum other than steel or aluminum: 1N1
Plastic drum: 1H1 or 1H2
Wooden barrel: 2C1
Steel jerrican: 3A1 or 3A2
Plastic jerrican: 3H1 or 3H2
Plastic receptacle in steel, aluminum, fiber or plastic drum: 6HA1, 6HB1, 6HG1 or 6HH
Plastic receptacle in steel, aluminum, wooden, plywood or fiberboard box: 6HA2, 6HB2, 6HC, 6HD2 or 6HG2
Glass, porcelain or stoneware in steel, aluminum or fiber drum: 6PA1, 6PB1 or 6PG1
Glass, porcelain or stoneware in steel, aluminum, wooden or fiberboard box: 6PA2, 6PB2, 6PC or 6PG2
Glass, porcelain or stoneware in solid or expanded plastic packaging: 6PH1 or 6PH2
Plastic receptacle in plywood drum: 6HD1
Glass, porcelain or stoneware in plywood drum or wickerwork hamper: 6PD1 or 6PD2
Cylinders, as prescribed for any compressed gas, except for Specifications 8 and 3HT

§ 173.204 Non-bulk non-specification packagings for certain hazardous materials.

When § 172.101 of this subchapter specifies that a liquid or solid hazardous material be packaged under this section, any appropriate non-bulk packaging which conforms to the general packaging requirements of Subpart B of Part 173 may be used for its transportation. Packagings need not conform to the requirements of Part 178 of this subchapter.

§ 173.205 Specification cylinders for liquid hazardous materials.

When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, any specification cylinder, except those specified for acetylene, is authorized. Cylinders used for poisonous materials (Division 6.1 or 2.3) must conform to the requirements of § 173.40.

§ 173.211 Non-bulk packagings for solid hazardous materials in Packing Group I.

(a) When § 172.101 of this subchapter specifies that a solid hazardous material be packaged under this section, only non-bulk packagings prescribed in this section may be used for its transportation. Each package must conform to the general packaging requirements of Subpart B of Part 173, to the requirements of Part 178 at the Packing Group I performance level, and to the requirements of the special provisions of Column 7 of the § 172.101 Table.

(b) The following combination packagings are authorized:

Outer Packagings

Steel drum: 1A2
Aluminum drum: 1B2
Plywood drum: 1D
Fiber drum: 1G
Plastic drum: 1H2
Wooden barrel: 2C2
Steel jerrican: 3A2
Plastic jerrican: 3H2
Steel box: 4A1 or 4A2
Aluminum box: 4B1 or 4B2
Natural wood box: 4C1 or 4C2
Plywood box: 4D
Reconstituted wood box: 4F
Fiberboard box: 4G
Solid plastic box: 4H2

Inner Packagings

Glass or earthenware receptacles
Plastic receptacles
Metal receptacles
Glass ampoules

(c) Except for transportation by passenger aircraft, the following single packagings are authorized:

Steel drum: 1A1 or 1A2
Aluminum drum: 1B1 or 1B2
Metal drum other than steel or aluminum: 1N1 or 1N2
Plastic drum: 1H1 or 1H2
Steel jerrican: 3A1 or 3A2
Plastic jerrican: 3H1 or 3H2
Steel box with liner: 4A2
Aluminum box with liner: 4B2
Natural wood box, sift proof: 4C2
Plastic receptacle in steel, aluminum, plywood, fiber or plastic drum: 6HA2, 6HB1, 6HD1, 6HG1 or 6HH
Plastic receptacle in steel, aluminum, wooden, plywood or fiberboard box: 6HA1, 6HB2, 6HC, 6HD2 or 6HG2
Glass, porcelain or stoneware in steel, aluminum, plywood or fiber drum: 6PA1, 6PB1, 6PD1 or 6PG1
Glass, porcelain or stoneware in steel, aluminum, wooden or fiberboard box: 6PA2, 6PB2, 6PC, or 6PG2
Glass, porcelain or stoneware in expanded or solid plastic packaging: 6PH1 or 6PH2

§ 173.212 Non-bulk packagings for solid hazardous materials in Packing Group II.

(a) When § 172.101 of this subchapter specifies that a solid hazardous material be packaged under this section, only non-bulk packagings prescribed in this section may be used for its transportation. Each package must conform to the general packaging requirements of Subpart B of Part 173, to the requirements of Part 178 at the Packing Group I or II performance level, and to the requirements of the special provisions of Column 7 of the § 172.101 Table.

(b) The following combination packagings are authorized:

Outer Packagings

Steel drum: 1A2
Aluminum drum: 1B2
Plywood drum: 1D
Fiber drum: 1G
Plastic drum: 1H2
Wooden barrel: 2C2
Steel jerrican: 3A2
Plastic jerrican: 3H2
Steel box: 4A1 or 4A2
Aluminum box: 4B1 or 4B2
Natural wood box: 4C1 or 4C2
Plywood box: 4D
Reconstituted wood box: 4F
Fiberboard box: 4G
Solid plastic box: 4H2

Inner Packagings

Glass or earthenware receptacles
Plastic receptacles
Metal receptacles
Glass ampoules

(c) Except for transportation by passenger aircraft, the following single packagings are authorized:

Steel drum: 1A1 or 1A2
Aluminum drum: 1B1 or 1B2
Plywood drum: 1D
Plastic drum: 1H1 or 1H2
Fiber drum: 1G
Metal drum other than steel or aluminum: 1N1 or 1N2
Wooden barrel: 2C1 or 2C2
Steel jerrican: 3A1 or 3A2
Plastic jerrican: 3H1 or 3H2
Steel box: 4A1
Steel box with liner: 4A2
Aluminum box: 4B1
Aluminum box with liner: 4B2
Natural wood box: 4C1
Natural wood box, sift proof: 4C2
Plywood box: 4D
Reconstituted wood box: 4F
Fiberboard box: 4G
Expanded plastic box: 4H1
Solid plastic box: 4H2
Bag, woven plastic: 5H1, 5H2 or 5H3
Bag, textile: 5L1, 5L2 or 5L3
Bag, paper, multiwall, water resistant: 5M2
Plastic receptacle in steel, aluminum, plywood, fiber or plastic drum: 6HA1, 6HB1, 6HD1, 6HG1 or 6HH
Plastic receptacle in steel, aluminum, wood, plywood or fiberboard box: 6HA2, 6HB2, 6HC, 6HD2 or 6HG2
Glass, porcelain or stoneware in steel, aluminum, plywood or fiber drum: 6PA1, 6PB1, 6PD1 or 6PG1
Glass, porcelain or stoneware in steel, aluminum, wooden fiberboard box: 6PA2, 6PB2, 6PC or 6PG2
Glass, porcelain or stoneware in expanded or solid plastic packaging: 6PH1 or 6PH2

§ 173.213 Non-bulk packagings for solid hazardous materials in Packing Group III.

(a) When § 172.101 of this subchapter specifies that a solid hazardous material be packaged under this section, only non-bulk packagings prescribed in this section may be used for its transportation. Each package must conform to the general packaging requirements of Subpart B of Part 173, to the requirements of Part 178 at the Packing Group I, II or III performance level, and to the requirements of the

special provisions of Column 7 of the § 172.101 Table.

(b) The following combination packagings are authorized:

Outer Packagings

Steel drum: 1A2
Aluminum drum: 1B2
Plywood drum: 1D
Fiber drum: 1G
Plastic drum: 1H2
Wooden barrel: 2C2
Steel jerrican: 3A2
Plastic jerrican: 3H2
Steel box: 4A1 or 4A2
Aluminum box: 4B1 or 4B2
Natural wood box: 4C1 or 4C2
Plywood box: 4D
Reconstituted wood box: 4F
Fiberboard box: 4G
Solid plastic box: 4H2

Inner Packagings

Glass or earthenware receptacles
Plastic receptacles
Metal receptacles
Glass ampoules

(c) The following single packagings are authorized:

Steel drum: 1A1 or 1A2
Aluminum drum: 1B1 or 1B2
Plywood drum: 1D
Fiber drum: 1G
Plastic drum: 1H1 or 1H2
Metal drum other than steel or aluminum: 1N1 or 1N2
Wooden barrel: 2C1 or 2C2
Steel jerrican: 3A1 or 3A2
Plastic jerrican: 3H1 or 3H2
Steel box with liner: 4A2
Steel box: 4B1
Aluminum box with liner: 4B2
Natural wood box: 4C1
Natural wood box, sift proof: 4C2
Plywood box: 4D
Reconstituted wood box: 4F
Fiberboard box: 4G
Expanded plastic box: 4H2
Solid plastic box: 4H2
Bag, woven plastic: 5H1, 5H2 or 5H3
Bag, textile: 5L1, 5L2 or 5L3
Bag, paper, multiwall, water resistant: 5M2
Plastic receptacle in steel, aluminum, plywood, fiber or plastic drum: 6HA1, 6HB1, 6HD1, 6HG1 or 6HH
Plastic receptacle in steel, aluminum, wood, plywood or fiberboard box: 6HA2, 6HB2, 6HC, 6HD2 or 6HG2
Glass, porcelain or stoneware in steel, aluminum, plywood or fiber drum: 6PA1, 6PB1, 6PD1 or 6PG1
Glass, porcelain or stoneware in steel, aluminum, wood or fiberboard box: 6PA2, 6PB2, 6PC or 6PG2
Glass, porcelain or stoneware in expanded or solid plastic packaging: 6PH1 or 6PH2

§ 173.214 Packagings which require approval by the Director, OHMT.

When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, packagings and method of shipment must be approved by the Director, OHMT, prior to the first shipment.

§ 173.216 Asbestos, blue or white.

(a) Asbestos, blue or white, includes each of the following hydrated mineral silicates: Chrysolite, crocidolite, amosite, anthophyllite asbestos, tremolite asbestos, actinolite asbestos, and every product containing any of these materials.

(b) Commercial asbestos is any material or product containing asbestos that has commercial value because of its asbestos content.

(c) Asbestos which is immersed or fixed in a natural or artificial binder material (such as cement, plastic, asphalt, resins or mineral ore), waste asbestos, and manufactured products containing asbestos or any materials or products whose commercial value is not dependent on their asbestos content, are not subject to the requirements of this subchapter.

(d) Packagings for commercial asbestos must conform to the general packaging requirements of Subpart B of this part but need not conform to the requirements of Part 178 of this subchapter. Commercial asbestos must be offered for transportation and transported in—

(1) Rigid, leaktight packagings, such as metal or fiber drums, portable tanks, hopper-type rail cars, or hopper-type motor vehicles;

(2) Bags or other non-rigid packagings in closed freight containers, motor vehicles, or rail cars that are loaded by and for the exclusive use of the consignor and unloaded by the consignee;

(3) Bags or other non-rigid packagings which are dust-and sift-proof. When transported by other than private carrier by highway, such packagings containing asbestos must be palletized and unitized by methods such as shrink-wrapping in plastic film or wrapping in fiberboard secured by strapping. Pallets need not be used during transportation by vessel for loads with slings that are unitized by methods such as shrink-wrapping, if the slings adequately and evenly support the loads and the unitizing method prevents shifting of the bags or other non-rigid packagings during conditions normally incident to transportation; or

(4) Bags or other non-rigid packagings which are dust-and sift-proof in strong outside fiberboard or wooden boxes.

§ 173.217 Carbon dioxide, solid (dry ice).

(a) Carbon dioxide, solid (dry ice), when offered for transportation by aircraft or water, must be packed in packagings designed and constructed to permit the release of carbon dioxide gas to prevent a build-up of pressure that could rupture the packagings. Packagings must conform to the general packaging requirements of Subpart B of this part but need not conform to the requirements of Part 178 of this subchapter. For each shipment by air exceeding five pounds per package, advance arrangements between the shipper and each carrier must be made.

(b) Railroad cars and motor vehicles containing solid carbon dioxide, when accepted for transportation on board ocean vessels, must be conspicuously marked on two sides "WARNING CO_2 SOLID (DRY ICE)."

(c) Other packagings, when accepted for transportation on board ocean vessels, must be marked "CARBON DIOXIDE, SOLID—DO NOT STOW BELOW DECKS."

(d) Not more than 200 kg (440.9 lbs) of solid carbon dioxide may be transported in any one cargo compartment or bin on any aircraft except by specific and special arrangement between the shipper and the aircraft operator.

(e) Carbon dioxide, solid (dry ice) is excepted from the shipping paper and certification requirements of this subchapter if the requirements of paragraphs (a) and (d) of this section are complied with and the package is marked "Carbon dioxide, solid" or "Dry ice" and marked with an indication that the material being refrigerated is used for diagnostic or treatment purposes (e.g., frozen medical specimens).

§ 173.218 Fish meal or fish scrap.

(a) Except as provided in paragraph (b) of this section, fish meal or fish scrap, containing at least 6 percent but not more than 12 percent water, is authorized for transportation by water only when packaged as follows:

(1) Burlap (jute) bag;

(2) Multi-wall paper bag;

(3) Polyethylene-lined burlap or paper bag;

(4) Cargo tank;

(5) Portable tank;

(6) Rail car; or

(7) Freight container.

(b) Fish meal or fish scrap may not be offered for transportation if the temperature of the material exceeds 49 °C (120.2 °F).

(c) When fish scrap or fish meal is offered for transportation by vessel in bulk in freight containers, the fish meal must contain at least 100 PPM of anti-oxident (ethoxyquin) at the time of shipment.

§ 173.219 Life rafts, aircraft survival kits, etc.

(a) A life raft or aircraft survival kit or aircraft evacuation slide containing small quantities of hazardous materials which are required as part of the life-

saving appliance must conform to the requirements of this section. Packagings are excepted from the specification packaging requirements of this subchapter.

(b) Hazardous materials must be packaged as follows:

(1) Non-flammable compressed gases must be packaged in cylinders in accordance with the requirements of this subchapter;

(2) Smoke and illumination signal flares must be in plastic or fiberboard receptacles;

(3) Strike-anywhere matches must be cushioned to prevent movement or friction in a cylindrical metal or composition receptacle with a screw-type closure;

(4) Flammable liquids must be in strong inner packagings in a repair kit; and

(5) Limited quantities of other hazardous materials are permitted if packaged in accordance with the requirements of this subchapter.

(c) Materials not subject to the requirements of this subchapter which are an integral part of the life-saving appliance must be packaged in a strong fiberglass kit case which is overpacked in a waterproof fiberboard packaging, or be packaged in other strong outer packagings.

§ 173.220 Internal combustion engines, self-propelled vehicles, and mechanical equipment containing internal combustion engines or wet batteries.

(a) *Applicability.* An internal combustion engine, self-propelled vehicle, or mechanized equipment is subject to the requirements of this subchapter when transported as cargo on a transport vehicle if—

(1) The engine or fuel tank contains a flammable liquid or gaseous fuel;

(2) It is equipped with a wet electric storage battery other than a non-spillable battery; or

(3) It contains other hazardous materials subject to the requirements of this subchapter.

(b) *Flammable liquid fuel.* Except as provided in this paragraph, flammable liquid fuel tanks must be completely drained and securely closed. Up to 500 milliliters (16.9 ounces) of fuel may be left in engine components and fuel lines provided the lines are securely closed to prevent leakage of fuel. Fuel may remain in engines and tanks installed in self-propelled vehicles and mechanical equipment under the following conditions:

(1) For transportation by motor vehicle or rail car, the fuel tanks must be securely closed.

(2) For transportation by vessel, the shipment must conform to § 176.905 of this subchapter; and

(3) For transportation by aircraft, the shipment must conform to § 175.305 of this subchapter.

(c) *Wet batteries.* Wet batteries must either be installed, securely fastened in an upright position, and protected against short circuits and leakage or be removed and packaged separately under § 173.159. In addition—

(1) For transportation by vessel, the shipment must conform to § 176.905 of this subchapter; and

(2) For transportation by passenger-carrying aircraft, a wheelchair equipped with a wet battery must conform to § 173.222.

(d) *Truck bodies or trailers on flat cars.* Truck bodies or trailers with automatic heating or refrigerating equipment of the flammable liquid type may be shipped with fuel tanks filled and equipment operating or inoperative, when used for the transportation of other freight and loaded on flat cars as part of a joint rail and highway movement, provided the equipment and fuel supply conform to the requirements of § 177.834(1) and are of a type examined by the Bureau of Explosives and approved by the Director, OHMT.

(e) *Gases.* Compressed gas tanks and cylinders, containing gases, which are component parts of vehicles or mechanical equipment must conform to § 173.306.

(f) *Other hazardous materials.* Other hazardous materials must be packaged and transported in accordance with the requirements of this subchapter.

(g) *Exceptions.* Except as provided in paragraph (f) of this section, shipments made under the provisions of this section—

(1) Are not subject to any other requirements of this subchapter, for transportation by motor vehicle or rail car; and

(2) Are not subject to the requirements of Subparts D, E, and F (marking, labeling, and placarding, respectively) of Part 172 of this subchapter, for transportation by vessel or aircraft.

§ 173.221 Polystyrene beads, expandable.

Polystyrene beads or granules, expandable, impregnated with flammable gas or liquid as a blowing agent and plastic moulding materials in dough, sheet or extruded rope form must be packed in wooden (4C1 or 4C2), plywood (4D), fiberboard (4G) or reconstituted wood (4F) boxes with sealed inner plastic liners, plywood drums (1D), fiber drums (1G) with sealed inner plastic liner or in metal (1A1, 1A2, 1B1 or 1B2) packagings.

§ 173.222 Wheelchairs equipped with wet electric storage batteries.

(a) For transportation by highway, rail, water, or cargo aircraft only, wheelchairs equipped with wet electric storage batteries must conform to the provisions in § 173.220(c) of this part.

(b) For transportation by passenger-carrying aircraft, wheelchairs equipped with wet electric storage batteries are not subject to requirements of this subchapter other than the following:

(1) Wheelchairs equipped with non-spillable batteries as defined in § 173.159(d) of this subchapter may be shipped as checked luggage provided the battery is disconnected, the battery terminals are insulated to prevent accidental short circuits, and the battery is securely attached to the wheelchair.

(2) Wheelchairs equipped with spillable batteries may be shipped as checked baggage, provided that the wheelchair can be loaded, stowed, secured, and unloaded while always in an upright position. The battery must be disconnected, the terminals insulated to prevent accidental short circuits, and the battery securely attached to the wheelchair. The pilot-in-command must be advised, either orally or in writing, prior to departure, of the location of the wheelchair aboard the aircraft. If the wheelchair cannot be loaded, stowed, secured and unloaded always in an upright position, the battery must be removed and the wheelchair may then be carried without restriction. The removed battery must be carried in strong, rigid, outside packagings as follows:

(i) Outside packagings must be leaktight, impervious to battery fluid, loaded aboard the aircraft in accordance with the required orientation markings and be protected against upset by being secured to pallets or by being secured in cargo compartments using appropriate means (other than by bracing with freight or baggage) such as by use of restraining straps, brackets or holders;

(ii) Batteries must be protected against short circuits, secured upright in their outside packagings, and surrounded by compatible absorbent material sufficient to absorb their total liquid contents; and

(iii) Outside packagings must be marked to indicate proper orientation, and with the words "Battery, wet, with wheelchair", and be labeled with a CORROSIVE label.

§ 173.225 Packagings for organic peroxides.

(a) When the § 172.101 Table specifies that an organic peroxide be packaged

under this section, only non-bulk packagings which conform to the provisions of this section may be used for its transportation. Organic peroxides which require temperature control for stabilization are subject to the provisions of § 173.21(f) of this part.

(b) Organic peroxides table. (1) The first column of the table gives the identification numbers for organic peroxides as specified in Column 4 of the § 172.101 Table.

(2) The second column gives the packing group as specified in Column 5 of the § 172.101 Table. Each packaging used for an organic peroxide must be capable of meeting the test requirements of Subpart M of Part 178 at the specified level of performance.

(3) The third column specifies the packaging method or methods which must be used to pack an organic peroxide. The table of packaging methods in paragraph (c) of this section defines the packaging methods.

(4) The fourth column indicates, by the letters "TC", that an organic peroxide may require temperature control for stabilization. See § 173.21(f) of this part for provisions applicable to such materials.

ORGANIC PEROXIDES TABLE

Identification number (UN or NA) (1)	Packing group (2)	Packaging methods (3)	Temperature control (4)
2080	II	P1a, P8	
2081	II	P1a, P8	
2082	I	P1f, P13b	TC
2083	II	P1b, P2d, P8	TC
2084	I	P1b, P8	
2085	I	P1g, P1h, P13a, P14	
2087	II	P1a, P2c, P3b, P6a, P16, P20a, P20b, P30	
2088	I	P1d, P13b	
2089	II	P1a, P3b, P6a, P20b, P20d	
2090	II	P1b, P2f, P6b	
2091	II	P1a, P2c, P8, P10, P22a, P25b	
2092	I	P1a, P8, P10, P22a, P24	
2093	I	P1a, P8, P10, P22a, P24	
2094	I	P1a, P8, P10, P22a	
2095	II	P1c, P8	
2096	II	P1a, P2d, P8	
2097	II	P1e, P8, P13b, P18	
2098	II	P1a, P2c, P8, P10, P22a, P25b	
2099	II	P15	
2100	II	P1a, P8	
2101	II	P1a, P2a, P3b, P6a, P8, P16, P20c, P20d, P22a, P25b, P30	
2102	II	P1a, P2c, P8, P22b, P25b	
2103	II	P1e, P13b	
2104	II	P1a, P2d, P8	
2105	II	P1f, P3b, P6a, P20c, P20d, P21	
2106	II	P1a, P8	
2107	II	P1a, P2c, P8, P22a, P25b	
2108	II	P1a, P2c, P3b, P6a, P16, P20c, P20d, P22a, P25b	
2110	II	P1b, P8TC 2111 II P1a, P2d, P8	
2112	II	P1a, P3b, P6a, P20c, P20d, P24	
2113	II	P1b, P2f, P6b	
2114	II	P1a, P2c, P3b, P6a, P16, P20c, P20d	
2115	II	P1b, P2d, P8	
2116	I	P1a, P2c, P8, P22b, P25b	
2117	I	P1c, P12, P13b	
2118	I	P1a, P2c, P3b, P6a, P8, P16, P20b, P20d, P22a, P25b	
2119	I	P1b, P2d, P8	
2120	II	P1a, P2c, P3b, P6a, P17, P20b, P24, P25a	TC
2121	II	P1a, P2a, P24	
2122	II	P1b	TC
2123	II	P1b, P2d, P8	TC
2124	II	P1a, P3b, P6a, P13a, P14, P20b	
2125	I	P1a, P2c, P8, P22b, P25c	
2126	I	P1a, P2d, P8	
2127	I	P1a, P8	
2128	II	P1b, P2d, P8, P18, P24, P25a	TC
2129	II	P1a, P2c, P3b, P6a, P24, P25a	TC
2130	II	P1a, P2c, P3b, P6a	TC
2131	I	P1c, P3a	
2132	II	P1b, P2d, P8, P24, P25a	TC
2133	II	P1h, P7, P9, P13b	
2134	II	P1b, P2d, P8	
2135	II	P1d, P13b, P14, P15	
2136	II	P1a, P2c, P22a, P25b	

ORGANIC PEROXIDES TABLE—Continued

Identification number (UN or NA) (1)	Packing group (2)	Packaging methods (3)	Temperature control (4)
2137	II	P1b, P6b	
2138	II	P1a, P2c, P3b, P6a, P16, P20b, P20d, P30	
2139	II	P1b, P2d, P8	
2140	II	P1e, P8, P18	
2141	II	P16	
2142	II	P1e, P18	TC
2143	II	P1b, P8, P18	TC
2144	II	P1e	
2145	II	P1e, P18	
2146	II	P1a, P8	
2147	II	P1a	
2148	II	P1a, P3b, P6a, P14, P20c, P20d	
2149	I	P1f, P14, P20d	TC
2150	I	P1d	TC
2151	II	P1b	TC
2152	I	P1d, P14, P20d	TC
2153	I	P1b	TC
2154	II	P1a, P3b, P6a, P20c, P20d	TC
2155	II	P1a, P8, P18	
2156	II	P1a	
2157	II	P1b, P18	
2158	II	P1a, P18	
2159	II	P1a	
2160	II	P1e	
2161	I	P1e, P18	
2162	I	P1a, P2c, P8, P22b, P24, P25c	
2163	I	P1b	TC
2164	II	P1a, P2c	TC
2165	I	P1d	
2166	II	P1d	
2167	II	P1a, P8	
2168	II	P1a	
2169	II	P1b	TC
2170	II	P1b, P8, P24, P25a	
2171	I	P1a, P2c, P8, P22b, P25c	
2172	II	P1d, P3b, P6a, P20c, P20d, P21	
2173	II	P1d, P3b, P6a, P20c, P20d, P21	
2174	I	P1d, P12	
2175	II	P1b	TC
2176	I	P1d	TC
2177	II	P1e	
2178	II	P20d	
2179	II	P1e	
2180	II	P1e	
2182	II	P1f	TC
2183	II	P2d, P8, P9	
2184	II	P1e, P8	
2185	II	P1e, P8	
2255	I	P1i	
2550	I	P1a, P8	
2551	II	P1b, P2d, P8	
2562	II	P1e, P18	
2592	II	P1a	
2593	I	P1b	TC
2594	II	P1e	
2595	II	P1a	TC
2596	II	P1a	
2597	II	P1e	TC
2598	II	P1a	
2755	II	P28	
2756	I	P1a, P30	
2883	II	P1a	
2884	II	P1a	
2885	II	P1a	
2886	II	P1a	
2887	II	P1a	
2888	II	P1a	TC

ORGANIC PEROXIDES TABLE—Continued

Identification number (UN or NA) (1)	Packing group (2)	Packaging methods (3)	Temperature control (4)
2889	II	P1e	
2890	II	P1b, P2f, P6b	
2891	II	P1e	TC
2892	II	P1a, P20a, P24	TC
2893	II	P1a, P20a, P24	TC
2894	II	P1a, P20a, P24	TC
2895	II	P1a, P20a, P24	TC
2896	II	P1a, P2c, P3b, P6a, P16, P22a, P25b, P30	
2897	II	P1a	
2898	II	P1e	TC
2899	I	P1a, P30	
2957	II	P1e	TC
2958	II	P1a	
2959	II	P1e	
2960	II	P1a	TC
2961	II	P1a	TC
2962	I	P1a, P13b, P14, P15	TC
2963	II	P1b, P3b	TC
2964	II	P1e	TC
3044	II	P1a	
3045	I	P1a, P2a, P24	
3046	I	P1a	
3047	II	P1b, P2d, P8	TC
3058	II	P1h, P13a	
3059	II	P14	
3060	II	P1e, P20d	
3061	II	P1a	
3062	II	P1a	
3063	II	P1a	TC
3067	I	P1a, P24	
3068	I	P1a, P24	
3069	II	P1a, P24	
3074	II	P1b, P1e	
3075	I	P1a, P8	
3081	I	P1a, P8	

(c) Table of packaging methods. (1) The first column lists in alphanumeric sequence, the packaging methods for organic peroxides.

(2) The second column specifies the maximum net contents permitted in each inner packaging or receptacle. If no combination packagings are authorized, this column is blank.

(3) The third column specifies the maximum net contents permitted in an outer packaging, including a single, combination or composite packaging.

(4) The fourth column specifies inner packagings which are permitted for use, when applicable. If no combination packagings are authorized, this column is blank.

(5) The fifth column specifies outer packagings which are permitted for use. If inner packagings are specified in the fourth column, then the packaging specified in the fifth column must be used as the outer packaging of a combination packaging; otherwise, it may be used as a single packaging.

(6) The sixth column specifies composite packagings which are permitted for use, when applicable. If no composite packagings are authorized, this column is blank.

(7) The *Table of Packaging Methods* is as follows:

Packaging method (1)	Maximum net contents of each inner packaging or receptacle (2)	Maximum net contents of outer packaging (3)	Description of packagings		
			Inner packagings (4)	Outer packagings (5)	Composite packagings (6)
P1a	50 kg	50 kg			
P1b	25 kg	50 kg			
P1c	10 kg	50 kg			
P1d	5 kg	50 kg	Plastic bottles, jars, bags or boxes	4G or 1G or 1D or 4C1	6HC or 6HD1 or 6HG1 or 6GH2
P1e	25 kg	25 kg			
P1f	6 kg	25 kg			
P1g	5 kg	5 kg			

Packaging method	Maximum net contents of each inner packaging or receptacle	Maximum net contents of outer packaging	Description of packagings		
			Inner packagings	Outer packagings	Composite packagings
(1)	(2)	(3)	(4)	(5)	(6)
P1h	1 kg	10 kg			
P1i	500 g	1 kg			
P2a	100 kg	100 kg			
P2c	50 kg	50 kg	Plastic bottles, jars, bags or boxes	1A2 or 1B2 or 4A1 or 4B1	6HA1 or 6HA2 (steel box only) or 6HB1 or 6HB2 (aluminum box only)
P2d	25 kg	50 kg			
P2f	10 kg	50 kg			
P3a		60 kg			
P3b		30 kg			6HA2, (steel crate only) or 6HB2 (aluminum crate only) or 6HD1 or 6HG1
P6a	10 kg	90 kg	Metal Cans, or glass bottles in metal cans, or plastic bags in metal cans, or plastic bottles in metal cans.	4G or 1G or 1D or 4C1	
P6b	10 kg	50 kg			
P7	3 kg	12 kg	Aluminum bottles or jars with plastic closures.	4G or 1G or 1D or 4C1	
P8	2 L	50 L	Glass bottles	1G or 4G or 1G or 1D or 4C1	
P9	7.5 L	7.5 L	Glass or earthenware bottles; or metal cans.	4G or 1G or 1D or 4C1	6PC or 6PD1 or 6PG1 or 6PG2
P10	0.5 L	50 L	Glass bottles	1A2 or 1B2 or 4A1 or 4B1	
P12	1 kg	50 kg	Waxed fiberboard boxes	4G or 1G or 1D or 4C1	
P13a	500 g	25 kg			
P13b	500 g	14 kg	Plastic boxes or bottles	4C1, compartmented	
P14	500 g	25 kg	Paper bags with inner ply of plastic	4G with fire-retardant liner and partitions of fire-retardant corrugated fiberboard.	
P15	500 g	500 g	Paper bag with inner ply of plastic, packed singly.	4G	
P16	250 g	50 kg	Metal or plastic flexible tubes	4G or 4D	
P17	500 g	500 g	Fiber jar with sealed cap closure, packed singly.	4C1	
P18	500 ml	500 ml	Plastic bottle, packed singly	4G	
P20a		200 kg		1G with plastic liner or internal coating of polyethylene.	6HG1
P20b		100 kg			
P20c		50 kg			
P20d		30 kg			
P21		50 kg		1D with plastic liner	6HD1
P22a		50 kg			(1A1) or (1A2)
P22b		220 L			
P24		220 L		1A1 with plastic liner or 1A2 with plastic liner.	
P25a		200 kg			
P25b		50 kg		1B1 or 1B2	

Packaging method	Maximum net contents of each inner packaging or receptacle	Maximum net contents of outer packaging	Description of packagings		
			Inner packagings	Outer packagings	Composite packagings
(1)	(2)	(3)	(4)	(5)	(6)
P25c		220 L			
P28	500 g	2 kg	Plastic bag individually packed in round cardboard carton of 2 litres capacity. Four cartons per package.	4G or 1G	
P30		25 kg		1H1 or 1H2	

§ 173.226 Liquids toxic by inhalation, Division 6.1, Packing Group I, Zone A.

Division 6.1, Packing Group I, materials that are toxic by inhalation and that fall within the boundaries of Zone A in the graph found in § 173.133 shall be packed in non-bulk packagings in accordance with the following paragraphs:

(a) In specification cylinders, as authorized in § 173.40.

(b) In 1A1, 1B1 or 1N1 drums further packed in a 1A2 or 1H2 drum. Both inner and outer drums must conform to the performance test requirements of Subpart M of Part 178 of this subchapter at the Packing Group I performance level. The outer drum must have a minimum thickness of 1.50 mm (0.059 inches) for a 1A2 outer drum or 6.30 mm (0.248 inches) for a 1H2 outer drum. Capacity of the inner drum may not exceed 220 L (58.1 gallons). In addition, the inner drum must—

(1) Be capable of satisfactorily withstanding the hydrostatic pressure test in § 178.605 of this subchapter at a test pressure of 550 kPa (79.8 psig);

(2) Satisfactorily withstand the leakproofness test in § 178.604 of this subchapter using an internal air pressure of at least twice the vapor pressure at 55 °C (131 °F) of the material to be packaged;

(3) Have screw closures that are—

(i) Closed and tightened to a torque prescribed by the closure manufacturer, using a device that is capable of measuring torque;

(ii) Physically held in place by any means capable of preventing back-off or loosening of the closure by impact or vibration during transportation; and

(iii) Provided with a cap seal that is properly applied in accordance with the cap seal manufacturer's recommendations and is capable of withstanding an internal pressure of at least 100 kPa (14.5 psig).

(4) Have a minimum thickness as follows:

(i) If the capacity of the inner drum is less than or equal to 120 L (31.7 gallons), the minimum thickness of the inner drum is—

(A) For a 1A1 or 1N1 drum, 1.3 mm (0.051 inches); and

(B) For a 1B1 drum, 3.9 mm (0.154 inches).

(ii) If the capacity of the inner drum is greater than 120 L (31.7 gallons), the thickness of the inner drum is—

(A) For a 1A1 or 1N1 drum, 1.7 mm (0.067 inches); and

(B) For a 1B1 drum, 4.7 mm (0.185 inches); and

(5) Be isolated from the outer drum by a shock-mitigating, non-reactive material. There must be a minimum of 5.0 cm (1.97 inches of cushioning material around the body of the inner drum, and at least 7.6 cm (2.99 inches) on the top and bottom, between the inner and outer drum.

(c) In combination packagings, consisting of an inner packaging system and an outer packaging, as follows:

(1) *Outer packagings:*

Steel drum: 1A2
Aluminum drum: 1B2
Plywood drum: 1D
Fiber drum: 1G
Plastic drum: 1H2
Wooden barrel: 2C2
Steel jerrican: 3A2
Plastic jerrican: 3H2
Steel box: 4A1 or 4A2
Aluminum box: 4B1 or 4B2
Natural wood box: 4C1 or 4C2
Plywood box: 4D
Reconstituted wood box: 4F
Fiberboard box: 4G
Expanded plastic box: 4H2
Solid plastic box: 4H2

(2) *Inner packaging system.* The inner packaging system consists of two packagings: an impact resistant receptacle of glass, earthenware, plastic or metal securely cushioned with a non-reactive, absorbent material and packed within a leak-tight packaging of metal or plastic. This combination packaging in turn is packed within the outer packaging. Capacity of each inner receptacle may not exceed 4 L (1.06 gallons). An inner receptacle that has a closure must have a screw type closure which is physically held in place by any means capable of preventing back-off or loosening of the closure by impact or vibration during transportation. Both the inner packaging system and the outer packaging must conform to the performance test requirements of Subpart M of Part 178 of this subchapter, at the Packaging Group I performance level. The inner packaging system must meet these tests *without the benefit of the outer packaging.* The total amount of liquid contained in the outer packaging may not exceed 16 L (4.24 gallons).

§ 173.227 Liquids toxic by inhalation, Division 6.1, Packing Group I, Zone B.

Division 6.1, Packing Group I, materials that are toxic by inhalation and that fall within the boundaries of Zone B in the graph found in § 173.133 shall be packed in non-bulk packagings which conform to the performance test requirements of Subpart M of Part 178 of this subchapter, at the Packing Group I performance level. The following packagings are authorized:

(a) In packagings as authorized in § 173.226; or

(b) In 1A1, 1B1, or 1N1 drums further packed in a 1A2 or 1H2 drum. Both the inner and outer drums must conform to the performance test requirements of Subpart M of Part 178 of this subchapter at the Packing Group I performance level. The outer drum must have a minimum thickness of 1.50 mm (0.059 inches) for a 1A2 outer drum or 6.30 mm (0.248 inches) for a 1H2 outer drum. In addition, the inner drum must—

(1) Satisfactorily withstand the leakproofness test in § 178.604 of this subchapter using an internal air pressure of at least two times the vapor pressure at 55 °C (131 °F) of the material to be packaged;

(2) Have screw closures that are—

(i) Closed and tightened to a torque prescribed by the closure manufacturer.

using a device that is capable of measuring torque;

(ii) Physically held in place by any means capable of preventing back-off or loosening of the closure by impact or vibration during transportation; and

(iii) Provided with a cap seal that is properly applied in accordance with the cap seal manufacturer's recommendations and is capable of withstanding an internal pressure of at least 100 kPa (14.5 psig).

(3) Have a minimum thickness as follows:

(i) If the capacity of the inner drum is less than or equal to 120 L (31.7 gallons), the minimum thickness of the inner drum is—

(A) For a 1A1 drum, 1.3 mm (0.051 inches); and

(B) For a 1B1 drum, 3.9 mm (0.154 inches).

(ii) If the capacity of the inner drum is greater than 120 L (31.7 gallons), the thickness of the inner drum is—

(A) For a 1A1 or 1N1 drum, 1.7 mm (0.067 inches); and

(B) For a 1B1 drum, 4.7 mm (0.185 inches); and

(4) Be isolated from the outer drum by a shock-mitigating, non-reactive material. There must be a minimum of 5.0 cm (1.97 inches) of cushioning material around the body of the inner drum, and at least 7.6 cm (2.99 inches) on the top and bottom, between the inner and outer drum; and

(5) Have a capacity not greater than 220L (58.1 gallons).

(c) 1A1, 1B1 or 1N1 drums described in paragraph (b) of this section may be used without being further packed in a 1A2 or 1H2 drum if the shipper loads the material, blocks and braces the drums within the transport vehicle and seals the transport vehicle used. Drums may not be stacked (double decked) within the transport vehicle. Shipments must be from one origin to one destination only without any intermediate pickup or delivery.

§ 173.228 Bromine pentafluoride or bromine trifluoride.

(a) When the § 172.101 Table specifies that a hazardous material be packaged under this section, only non-bulk packagings prescribed in paragraph (b) of this section are authorized for its transportation. Each packaging must conform to the general packaging requirements of Subpart B of this part, to the specification requirements of Part 178 and to the requirements of the special provisions of Column 7 of the § 172.101 Table.

(b) Specification 3A150, 3AA150, 3B240, 3BN150, 4B240, 4BA240, 4BW240 and 3E1800 cylinders are authorized. Each valve outlet must be sealed by a threaded cap or threaded plug. Cylinder valves must be protected as specified for corrosive gases in § 173.301(g). No cylinder may be equipped with any pressure relief device. Specification 3E1800 cylinders must be packaged in accordance with the requirements of § 173.301(k).

§ 173.229 Chloric acid solution or chlorine dioxide hydrate, frozen.

(a) When the § 172.101 Table specifies that a hazardous material be packaged in accordance with this section, only 4G fiberboard boxes, with inner packagings of polyethylene or other suitable material, are authorized. Fiberboard boxes must be reinforced and insulated and sufficient dry ice must be used to maintain the hydrate or acid in a frozen state during transportation. Each packaging must conform to the general packaging requirements of Subpart B of Part 173, and to the requirements of Part 178 at the Packing Group I performance level. Shipments are authorized by private or contract carrier by motor vehicle only.

§ 173.230 Non-bulk packagings for ORM-D materials.

(a) General. Exceptions in the following paragraphs are permitted only if this section, or § 173.306 of this part, is referenced for the specific hazardous material in the § 172.101 Table of this subchapter.

(b) Small arms ammunition. (1) Small arms ammunition which has been classed as a Class C explosive may be reclassed and offered for transportation as ORM-D material when packaged in accordance with paragraph (b)(2) of this section. Shipments are excepted from the requirements of Subparts E (Labeling) and F (Placarding) of Part 172 of this subchapter. Small arms ammunition that may be shipped as ORM-D material is limited to:

(i) Ammunition for rifle, pistol or shotgun;

(ii) Ammunition with inert projectiles or blank ammunition;

(iii) Ammunition having no tear gas, incendiary, or detonating explosive projectiles; and

(iv) Ammunition not exceeding 50 caliber (½ inch) for rifle or pistol cartridges or 8 gauge for shotshells.

(2) Packaging for small arms ammunition as ORM-D material must be as follows:

(i) Ammunition must be packed in inside boxes, or in partitions which fit snugly in the outside packaging, or in metal clips;

(ii) Primers must be protected from accidental initiation;

(iii) Inside boxes, partitions or metal clips must be packed in securely closed strong outside packagings; and

(iv) Maximum gross weight is limited to 65 (29.5 kg) pounds per package.

(c) Compressed gases. A compressed gas which conforms to the provisions of paragraphs (a)(1), (a)(3) except (a)(3)(vi), or (b) except (b)(1)(iii) of § 173.306 of this subchapter and is a "Consumer commodity" as defined in § 171.8 of this subchapter may be renamed "Consumer commodity" and reclassed as ORM-D material. Each completed package must conform to the requirements of Subpart B of this part and may not exceed 65 pounds (29.5 kg) gross weight. Shipments are excepted from the requirements of Subparts E (Labeling) and F (Placarding).

(d) Other consumer commodity exceptions are provided for Class (or Division) 3, 4.1, 5.1, 5.2, 6.2, 8 or 9 materials, if the § 172.101 Table entry for the specific material refers to, and the material meets the provisions in §§ 173.150, 173.151, 173.152, 173.153, 173.154 or 173.155, as appropriate.

Subpart F—Bulk Packaging for Hazardous Materials Other Than Classes 1 and 7

§ 173.240 Bulk packaging for certain flammable solids (Division 4.1), solid oxidizers (Division 5.1), corrosive solids (Class 8) and other similar low hazard materials.

When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, only the following bulk packagings are authorized, subject to the requirements of Subparts A and B of Part 173 of this subchapter and the special provisions specified in Column 7 of the § 172.101 Table.

(a) *Rail cars:* DOT Class 103, 104, 105, 107A, 109, 111, 112, 113, 114 and 115 tank car tanks; Class 106 and 110 multi-unit tank car tanks; AAR Class 203W, 206W and 211W tank car tanks; and metal non-DOT specification, sift proof tank car tanks and sift proof closed cars.

(b) *Motor vehicles:* Specification MC 300, MC 301, MC 302, MC 303, MC 304, MC 305, MC 306, MC 307, MC 310, MC 311, MC 312, MC 330, MC 331 and MC 338 cargo tank motor vehicles; metal non-DOT specification, sift proof cargo tank motor vehicles; and sift proof closed vehicles.

(c) *Portable tanks, bins and other bulk packagings:* DOT 51, 52, 53, 56, 57 and 60 portable tanks; marine portable tanks conforming to 46 CFR 64; and sift proof non-DOT specification portable tanks, closed bins and other bulk packagings.

§ 173.241 Bulk packaging for certain combustible liquids (Class 3), flammable solids (Divisions 4.2 and 4.3), and other similar hazardous materials.

When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, only the following bulk packagings are authorized, subject to the requirements of Subparts A and B of Part 173 of this subchapter and the special provisions specified in Column 7 of the § 172.101 Table.

(a) *Rail cars:* DOT Class 103, 104, 105, 107A, 109, 111, 112, 113, 114 and 115 tank car tanks; Class 106 and 110 multi-unit tank car tanks; AAR Class 203W, 206W and 211W tank car tanks.

(b) *Cargo tanks:* DOT specification MC 300, MC 301, MC 302, MC 303, MC 304, MC 305, MC 306, MC 307, MC 310, MC 311, MC 312, MC 330, MC 331 and MC 338 cargo tank motor vehicles; and metal non-DOT specification cargo tank motor vehicles suitable for transport of liquids.

(c) *Portable tanks:* DOT 51, 52, 53, 56, 57 and 60 portable tanks; marine portable tanks conforming to 46 CFR Part 64; and non-DOT specification portable tanks suitable for transport of liquids. DOT 57 portable tanks used for the transportation by vessel of Class 3, Packing Group II, materials must conform to the following:

(1) Each tank must have a minimum design pressure of 9 psig (62.1 kPa) and be equipped in accordance with § 178.253–4 of this subchapter, except that frangible devices are not authorized; and

(2) No pressure relief device may open at less than 5 psig (34.5 kPa).

§ 173.242 Bulk packaging for certain medium hazard liquids and solids, including solids with dual hazards.

When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, only the following bulk packagings are authorized, subject to the requirements of Subparts A and B of Part 173 of this subchapter and the special provisions specified in Column 7 of the § 172.101 Table.

(a) *Rail cars:* DOT Class 103, 104, 105, 107A, 109, 111, 112, 113, 114 or 115 tank car tanks; Class 106 or 110 multi-unit tank car tanks; AAR Class 203W tank car tanks.

(b) *Cargo tanks:* Specification MC 300, MC 301, MC 302, MC 303, MC 304, MC 305, MC 306, MC 307, MC 310, MC 311, MC 312, MC 330, MC 331 and MC 338 cargo tank motor vehicles.

(c) *Portable tanks:* DOT 51, 52, 53, 56, 57 and 60 portable tanks; and marine portable tanks conforming to 46 CFR 64. DOT 57 portable tanks used for the transportation by vessel of Class 3, Packing Group II, materials must conform to the following:

(1) Each tank must have a minimum design pressure of 9 psig (62.1 kPa) and be equipped in accordance with § 178.253–4 of this subchapter, except that frangible devices are not authorized; and

(2) No pressure relief device may open at less than 5 psig (34.5 kPa).

§ 173.243 Bulk packaging for certain high hazard liquids and dual hazard liquids which pose a moderate hazard.

When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, only the following bulk packagings are authorized, subject to the requirements of Subparts A and B of Part 173 of this subchapter and the special provisions specified in Column 7 of the § 172.101 Table.

(a) *Rail cars:* DOT Class 103, 104, 105, 107A, 109, 111, 112, 113, 114, and 115 tank car tanks; and Class 106 and 110 multi-unit tank car tanks. Gauging devices are required on DOT 103, 104 and 111 tank car tanks. Riveted tank car tanks are not authorized.

(b) *Cargo tanks:* Specification MC 304, MC 307, MC 330, MC 331, and MC 338 cargo tank motor vehicles; and MC 310. MC 311 or MC 312 cargo tank motor vehicles with tank design pressure of at least 25 psig (172.4 kPa).

(c) *Portable tanks:* DOT 51 portable tanks; and DOT 60 and marine portable tanks conforming to 46 CFR 64 with design pressure of at least 25 psig (172.4 kPa).

§ 173.244 Bulk packaging for certain pyrophoric liquids (Division 4.2), poisonous liquids with inhalation hazards (Division 6.1) and gases (Class 2).

When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, only the following bulk packagings are authorized, subject to the requirements of Subparts A and B of Part 173 of this subchapter and the special provisions specified in Column 7 of the § 172.101 Table.

(a) DOT Classes 105, 107A, 109, 112, 113, and 114 tank car tanks; and Class 106 and 110 multi-unit tank car tanks. Riveted tank car tanks are not authorized.

(b) Specification MC 330, MC 331 and MC 338 cargo tank motor vehicles.

(c) DOT 51 portable tanks.

§ 173.245 Bulk packaging for extremely hazardous materials such as poisonous gases (Division 2.3).

When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, only the following bulk packagings are authorized, subject to the requirements of Subparts A and B of Part 173 of this subchapter and the special provisions specified in Column 7 of the § 172.101 Table.

(a) DOT 105J500W, 112J500W and 112T500W tank car tanks; and DOT Class 106 and 110 multi-unit tank car tanks. Written procedures covering details of tank car appurtenances, dome fittings, and safety devices, and marking, loading, handling, inspection and testing practices, must be approved by the Director, OHMT, before any single unit tank car tank is offered for transportation.

(b) Cargo tank motor vehicles and portable tanks, when approved by the Director, OHMT.

§ 173.248 Ethylene oxide.

(a) When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, only the following bulk packagings are authorized, subject to the requirements of Subparts A and B of this part, the special provisions specified in Column 7 of the § 172.101 Table, and paragraphs (b) through (g) of this section:

(1) *Tank cars.* DOT 105J100W tank car tanks; DOT 105A100W or 111A100W4 tank car tanks built before September 1, 1981 and having a water capacity not exceeding 18,500 gallons (70,030.1 liters); and DOT 111J100W4 tank car tanks built before March 2, 1984.

(2) *Cargo tanks.* Specification MC 330 and MC 331 cargo tank motor vehicles.

(3) *Portable tanks.* DOT 51 portable tanks.

(b) The pressure relief devices must be set to function at 75 psig (517.1 Kpa). Portable tanks fitted with non-reclosing devices made and in use prior to December 31, 1987, may continue to be used in ethylene oxide service.

(c) Outage must be sufficient to prevent the tank from becoming liquid full at 105 °F (40.6 °C). Consideration must be given to the lading temperature and solubility of inert gas padding in ethylene oxide as well as the partial pressure exerted by the gas padding.

(d) Each tank, loaded or empty, must be padded with dry nitrogen or other suitable inert gas of sufficient quantity to render the vapor pressure of the tank nonflammable up to 105 °F (40.6 °C). The gas used for padding must be free of impurities which may cause the ethylene

oxide to polymerize, decompose or undergo other violent chemical reaction.

(e) Copper, silver, mercury, magnesium or their alloys may not be used in any part of the tank or appurtenances that are normally in contact with the lading.

(f) Neoprene, natural rubber and asbestos gaskets are prohibited. All packing and gaskets must be made of materials which do not react with or lower the autoignition temperature of the lading.

(g) Each tank must be insulated with cork (at least 4 inches (10.2cm) thick), or mineral wool, fiberglass or other suitable insulation material of sufficient thickness so that the thermal conductance at 60 °F (15.6 °C) is not more than 0.075 Btu per hour per square foot per degree F. temperature differential. Portable tanks made and in use prior to December 31, 1987 equipped with fusible plugs instead of a safety relief valve or frangible disc, must have sufficient insulation so that the tank as filled for shipment will not rupture in a fire. The insulation on portable tanks or cargo tank motor vehicles must be protected with a steel jacket at least 0.100 inch (2.54mm) thick, or as required by the specification.

§ 173.249 Bromine.

When § 172.101 of this subchapter specifies that a hazardous material be packaged under this section, only the following bulk packagings are authorized, subject to the requirements of Subparts A and B of Part 173 of this subchapter and the special provisions specified in Column 7 of the § 172.101 Table.

(a) DOT Class 105A300W or 105A500W tank cars. Class 105A500W tank cars may be equipped with manway cover plates, pressure relief valves, vent valves, and loading/unloading valves that are required on Class 105A–300W tank cars. Tank cars must conform with paragraphs (d) through (f) of this section.

(b) Specification MC 310, MC 311, MC 312 cargo tank motor vehicles conforming with paragraphs (d) through (f) of this section.

(c) Specification IM 101 intermodal portable tanks conforming with paragraphs (d) through (f) of this section.

(d) The tank must be made from nickel-clad or lead-lined steel plate. Nickel cladding or lead lining must be on the inside of the tank. Nickel cladding must comprise at least 20 percent of the required minimum total thickness. Nickel cladding must conform to ASTM Specification B 162–69. Lead lining must be at least 0.1875 inch (4.7625mm) thick. All tank equipment and appurtenances in contact with the lading must be lined or made from metal not subject to deterioration by contact with lading.

(e) Maximum filling density is 300 percent of the tank's water capacity. Minimum filling density is 287 percent of the tank's water capacity. Maximum water capacity is 9,262 kilograms (20,400 pounds) for DOT 105A300W tank cars. Maximum quantity of lading in DOT 105A300W tank cars is 27,240 kilograms (60,000 pounds). Maximum water capacity is 16,980 kilograms (37,400 pounds) for DOT 105A500W tank cars and DOT 105A500W tank cars equipped as described in paragraph (a) of this section. Maximum quantity of lading in DOT 105A500W tank cars is 49,940 kilograms (110,000 pounds).

(f) Tank shell and head thickness for cargo tank motor vehicles and portable tanks must be at least 0.375 inch (9.525mm) excluding lead lining.

116. The title to Subpart G would be revised to read as follows:

Subpart G—Gases; Preparation and Packaging

§ 173.300 [Removed]

117. Section 173.300 would be removed.

118. In § 173.306, the phrase "Subpart N of this part" would be revised to read "paragraph (h) of this section" in the last sentence of paragraph (a)(1), and the introductory text of paragraph (a)(3) and the last sentence of the introductory text of paragraph (b) and paragraph (h) would be added to read as follows:

§ 173.306 Limited quantities of compressed gases.

* * * * *

(h) A limited quantity which conforms to the provisions of subparagraph (a)(1) or (a)(3) or paragraph (b) of this section and is a "consumer commodity" as defined in § 171.8 of this subchapter, may be renamed "consumer commodity" and reclassed as ORM–D material. In addition to the exceptions provided by paragraphs (a) and (b) of this section—

(1) Outside packagings are not required to be marked "INSIDE CONTAINERS COMPLY WITH PRESCRIBED REGULATIONS";

(2) Shipments of ORM–D materials are not subject to the shipping paper requirements of Subpart C of Part 172, unless offered or intended for transportation by aircraft; and

(3) Strong outer packagings as specified in this section and the marking requirements specified in § 172.312 are not required for ORM–D materials when unitized in cages, carts or similar overpacks and when shipped by a private or contract motor carrier from a distribution center to a retail outlet.

§ 173.308 [Amended]

119. In paragraph (a) of § 173.308, the section reference "§ 173.21(e)" would be changed to "§ 173.21(i)".

120. In § 173.314, paragraphs (d) and (f) would be removed and reserved, paragraph (a) and paragraphs (b) (5) and (6) would be revised, the introductory text in paragraph (c) preceding the table would be revised, and paragraph (i) would be added to read as follows:

§ 173.314 Requirements for compressed gases in tank cars.

(a) *Definitions.* For definitions of compressed gases, see § 173.115.

(b) * * *

(5) Except as otherwise provided in this subchapter and except for DOT Class 106A and 110A multi-unit tank car tanks, each tank car which contains a Division 2.1 or 2.3 material or hydrogen fluoride must be marked with the name of contents as prescribed in § 172.330 of this subchapter.

(6) For single unit tank car tanks, built after December 30, 1971, which are loaded with a material which meets the definition for Division 2.1, gaskets for manway covers and for mounting of fittings must be made of heat resistance materials approved by the AAR Tank Car Committee.

(c) *Authorized gases, filling densities and tank cars.* A compressed gas offered for transportation in a tank car (for cryogenic liquids, see § 173.319) must be prepared in accordance with the applicable provisions of paragraphs (b) through (h) of this section, §§ 172.101, 173.10, 173.24b, and 173.31 of this subchapter, and the following table:

* * *

* * * * *

(d) [Reserved]

* * * * *

(f) [Reserved]

* * * * *

(i) Tank car tanks used for liquefied petroleum gas, butadiene, anhydrous ammonia, methylacetylene-propadiene, stabilized, chlorodifluoromethane, or vinyl chloride may, as an alternate, conform with the following special requirements:

(1) Safety relief valves may be set to the following pressures, provided the total valve discharge capacity is sufficient to prevent building up pressure in the tank in excess of 90 percent of the tank test pressure:

Safety relief valves, p.s.i.	DOT specifications		
	105A300W	112A340W, 114A340W	112A400W, 114A400W
Start-to-discharge pressure	247.5	280.5	330
Start-to-discharge tolerance	±7.5	±8.4	±10
Vapor tight pressure (minimum)	196	224	264
Flow rating pressure	270	306	360

(2) Gaskets for manway covers and for mounting of fittings must be made of heat resistance materials approved by the AAR Tank Car Committee.

121. In the table which appears in paragraph (c) of § 173.314 and the notes following it, the following changes are proposed:

a. The following entries and associated information are removed: Ammonia solution, Butadiene (all entries), Chlorodifluoroethane, Chlorodifluoromethane, Chloropentafluoroethane, Chlorotetrafluoroethane, Chlorotirfluoromethane, Crude nitrogen fertilizer solution (all entries), Dichlorodifluoromethane, Difluoroethane, Dimethylamine, Dimethyl ether, Fertilizer ammoniating solution (all entries), Hexafluoropropylene, Hexafluoropropylene oxide, Liquid hydrocarbon gas (all entries), Liquefied petroleum gas (all entries), Methylacetylene-propadiene, Methyl chloridemethylene chloride mixture, Methylamine, Nitrogen fertilizer solution (all entries), Refrigerant gas (all entries), Trifluorochloroethylene, Trimethylamine, Vinyl chloride, and Vinyl methyl ether.

b. For Anhydrous ammonia, "Note 15" is changed to "Note 21" in both places it appears.

c. For Chlorine, "Note 12" is changed to "Notes 12 and 30".

d. For Hydrogen chloride, "Note 17" is changed to "Notes 17 and 30".

e. For Nitrous oxide, "Note 6" is changed to "Notes 6 and 30".

f. For Sulfur dioxide, "Note 30" is added after "DOT–105A200–W".

g. The following entry is added: Column 1: "Flammable gases, not specifically provided for"; Column 2: "Note 21"; Column 3: "DOT Classes 106A and 110, Note 7. DOT Classes 105A, 112J, 112T, 114J, and 114T, Notes 4 and 23. DOT–111A100W4, Notes 4 and 23."

h. The following entry is added: Column 1: "Non-flammable gases, not specifically provided for"; Column 2: "Note 21"; Column 3: "DOT Classes 106A and 110, Note 25. DOT Classes 105A, 109A, 112A, and 114A; DOT–111A100W4.

i. Notes 9, 14, 15, 18, 19, 22, 26, and 29 are removed.

j. Note 20 is revised to read as follows: "The gas pressure at 130 °F in any uninsulated DOT Class 107A tank may not exceed seven-tenths of the marked test pressure of the tank, except that a tank may be charged with helium to a pressure 10 percent in excess of the marked maximum gas pressure at 130 °F of each tank."

k. Note 21 is revised to read as follows: "See paragraph (b)(1) of § 173.24b of this subchapter."

l. Note 30 is added to read as follows: "Each specification 105 tank car built after March 31, 1989, must conform to DOT Class 105J requirements."

122. In § 173.315, paragraph (a)(2) would be added to read as follows:

§ 173.315 Compressed gases in cargo tanks and portable tanks.

(a) * * *

(2) Other gases not listed by name in the above table shall be shipped in portable tanks or cargo tanks subject to the following conditions:

(i) Minimum packaging design pressure must not be less than—

(A) For a non-flammable and non-toxic gas lading, (Division 2.2), the vapor pressure at the reference temperature of the lading.

(B) For a gas which is toxic or flammable, (Division 2.1 or 2.3), or both, the vapor pressure at the reference temperature of the lading plus one percent or 25 psig (172.4 kPa), whichever is less, for each additional hazard.

(ii) Maximum permitted filling density may not exceed that specified in paragraph (c) of this section.

* * * * *

123. In Subpart G, §§ 173.321, 173.322, 173.323, 173.324, 173.335, 173.338, and 173.340 would be added, and §§ 173.334, 173.336 and 173.337 would be revised to read as follows:

§ 173.321 Ethylamine.

Ethylamine must be packaged as follows:

(a) In 1A1 drums which meet Packing Group I performance level requirements.

(b) In specification cylinders as prescribed for any compressed gas except acetylene.

§ 173.322 Ethyl chloride.

Ethyl chloride must be packaged in single or combination non-bulk packagings which meet Packing Group I performance level requirements, as follows:

(a) In 4C1, 4C2, 4D or 4F wooden boxes with glass, earthenware, or metal inner receptacles not over 500 grams (1.1 pounds) capacity each.

(b) In 4G fiberboard boxes with glass, earthenware, or metal inner receptacles not over 500 grams (1.1 pounds) capacity each. Outer packagings may not exceed 30 kilograms (66.2 pounds) gross weight.

(c) In 1A1 drums of not over 100 liters (37.9 gallons) capacity each.

(d) In specification cylinders as prescribed for any compressed gas except acetylene.

§ 173.323 Ethylene oxide.

(a) For packaging ethylene oxide in non-bulk packagings, copper, silver mercury and their alloys shall not be used in any part of a packaging, valve, or other packaging appurtenance if that part is normally in contact with ethylene oxide liquid or vapor. All packaging and gaskets must be constructed of materials which do not react spontaneously with or lower the autoignition temperature of ethylene oxide.

(b) Ethylene oxide must be packaged as follows:

(1) In 4G fiberboard boxes with one inner glass ampoule or vial of no more than 100 grams (3.5 ounces) capacity cushioned with noncombustible material. The completed package must be capable of passing Packing Group I performance tests.

(2) In 4G fiberboard boxes constructed with top and bottom pads and perimeter liner. Inner packagings must be aluminum receptacles of no more than 135 grams (4.8 ounces) capacity cushioned with incombustible material. No more than 12 receptacles allowed in one box and no more than 10 boxes may be overpacked under the provisions of § 173.25 of this Part. Each completed package must be capable of passing Packing Group I performance tests.

(3) In 4C1, 4C2, 4D or 4F wooden boxes or 4G fiberboard boxes with inner metal receptacles of no more than 340 grams (12 ounces) capacity. The metal receptacle must be capable of withstanding no less than a 180 psig (1241.1 kPa) burst pressure. No more than 12 receptacles may be packed in one box and each receptacle may not be liquid full below 180 °F (82.2 °C). Each inner receptacle must be insulated and equipped with a relief device of the fusible plug type with yield temperature of 157 °F to 170 °F (69.4 °C to 76.7 °C). The capacity of relief device and insulation must be such that the charged receptacle will not explode when tested by CGA Pamphlet C–14 method or other equivalent method. Each completed package must be capable of passing Packing Group I performance tests.

(4) In specification cylinders, as authorized for any compressed gas except acetylene. Cylinders must be seamless or welded steel (not brazed) with a nominal capacity of no more than 30 gallons (113.6 L) and may not be liquid full below 180 °F (82.2 °C). Cylinders over 3.79 liters (1 gallon) capacity must be equipped with eductor tubes and be insulated. Before each refilling, each cylinder must be tested for leakage at no less than 15 psig (103.4 kPa) pressure. In addition, each cylinder must be equipped with a fusible type relief device with yield temperature of 157 °F to 170 °F (69.4 °C to 76.7 °C). The capacity of the relief device and the effectiveness of the insulation must be such that the charged cylinder will not explode when tested by CGA Pamphlet C–14 method or other equivalent method.

(5) In 1A1 steel drums of no more than 61 gallons (230.9 L) and meeting Packing Group I performance standards. The drum must be lagged, of all welded construction with the inner shell having a minimum thickness of 2.0 mm (0.0787 inches) and the outer shell having a minimum thickness of 2.6 mm (0.1024 inches). Drums must be capable of withstanding a hydrostatic test pressure of 100 psig (689.5 kPa). Lagging must be of sufficient thickness so that the drum will not rupture when exposed to fire when filled with ethylene oxide and equipped with the required pressure relief device. The drum may not be liquid full below 185 °F (85 °C), and must be marked "THIS END UP" on the top head. Before each refilling, each drum must be tested for leakage at no less than 15 psig (103.4 kPa) pressure. Each drum must be equipped with a fusible type relief device with yield temperature of 157 °F to 170 °F (69.4 °C to 76.7 °C), and the capacity of the relief device must be such that the filled drum will not explode when tested by the method described in CGA Pamphlet C–14 or other equivalent method.

§ 173.324 Ethyl methyl ether.

Ethyl methyl ether must be packed as follows:

(a) In specification cylinders, as authorized for any compressed gas except acetylene; or

(b) In packagings as specified in § 173.201 which meet Packing Group I performance level requirements.

§ 173.334 Organic phosphates mixed with compressed gas.

Hexaethyl tetraphosphate, parathion, tetraethyl dithio pyrophosphate, tetraethyl pyrophosphate, or other Division 6.1 organic phosphates (including a compound or mixture), may be mixed with a compressed gas which must be nonflammable. This mixture must not contain more than 20 percent by weight of organic phosphate and must be packaged in specification 3A240, 3AA240, 3B240, 4A240, 4B240, 4BA240, or 4BW240 cylinders meeting the following requirements.

(a) Each cylinder may be charged with not more than 5 kg (11.0 pounds) of the mixture, to a maximum filling density of not more than 80 percent of the water capacity;

(b) Each cylinder must be charged in compliance with § 173.301 (e) and (f);

(c) No cylinder may be equipped with an eduction tube or a fusible plug;

(d) No cylinder may be equipped with any valve unless the valve is a type approved by the Director, OHMT;

(e) Cylinders must be overpacked in a box so arranged to protect each valve or other closing device from damage. Except as provided in paragraph (f) of this section, no more than four cylinders may be packed in a box. Each box with its closing device protection must be sufficiently strong to protect all parts of each inside cylinder from deformation or breakage if the completed package were dropped 1.8 meters (5.91 feet) onto solid concrete, impacting at the weakest point.

(f) Cylinders may be packed in strong wooden boxes with valves or other closing devices protected from injury, with not more than twelve cylinders in one outside wooden box. An outer fiberboard box may be used when not more than four such cylinders are to be shipped in one packaging. Valves must be adequately protected. Box and valve protection must be of strength sufficient to protect all parts of inner packagings and valves from deformation or breakage resulting from a drop of at least 1.8 meters (5.91 feet) onto a concrete floor, impacting at the weakest point.

§ 173.335 Gas generator assemblies.

Gas generator assemblies (aircraft) containing liquefied nonflammable, nontoxic gas and a solid propellant cartridge shall be packaged as follows:

(a) The gas shall be packaged in specification steel cylinders authorized for any compressed gas except acetylene not exceeding 10.5 L (2.77 gallons) internal volume and having a minimum design burst pressure of 19,700 kPa (2,857 psi);

(b) Fittings must be protected against damage under conditions normally incident to transport, any trigger shall be fitted with a safety locking pin, and a non-propulsive plug shall be installed on the discharge tube; and

(c) Each complete unit must be individually and tightly packed to prevent movement in wooden boxes (4C1 or 4C2), plywood boxes (4D), reconstituted wood boxes (4F), fiberboard boxes (4G), or plastic boxes, (4H1 and 4H2) of Packing Group II performance level, or in the original manufacturer's transit box.

§ 173.336 Nitrogen dioxide, liquid; nitrogen peroxide, liquid; and nitrogen tetroxide, liquid.

Nitrogen dioxide, liquid, nitrogen peroxide, liquid, and nitrogen tetroxide, liquid must be packed in specification cylinders as follows:

(a) As prescribed in § 173.192.

(b) Specification 3A480, 3AA480, 3AL1800, or 3E1800 metal cylinders, with valves removed, are authorized. Each valve opening must be closed by means of a solid metal plug with tapered thread properly luted to prevent leakages; valve protection cap must be used and be at least 4.76 mm (0.187 inches) thick gastight, with 4.76 mm (0.187 inches) faced seat for gasket and with United States standard form thread. Shipments in 3AL cylinders are authorized only when transported by highway or rail. Each cylinder must be cleaned in compliance with the requirements of Federal Specification RR–C–901b, paragraphs 3.7.2 and 3.8.2. Cleaning agents equivalent to those specified in RR–C–901b may be used; however, any cleaning agent must not be capable of reacting with oxygen. One cylinder selected at random from a group of 200 or less cleaned at the same time must be tested for oil contamination in accordance with Specification RR–C901b paragraph 4.4.2.3 and meet the standard of cleanliness specified.

§ 173.337 Nitric oxide.

Nitric oxide must be packed in Specification 3A1800, 3AA1800, 3E1800, or 3AL1800 cylinders charged to a pressure of not more than 5,170 kPa (749.7 psi) at 21.1 °C (70 °F). Cylinders must be equipped with a valve of stainless steel and valve seat of material which will not be deteriorated by contact with nitric oxide or nitrogen dioxide. Cylinders or valves may not be equipped with pressure relief devices of any type. Valve outlets must be sealed by a solid threaded cap or plug and an inert gasketing material. In addition—

(a) Specification 3E1800 cylinders must be overpacked in strong wooden boxes of such design as to protect valves from injury or accidental functioning under conditions incident to transportation. Each overpack must conform to § 173.25.

(b) Specification 3A, 3AA, and 3AL cylinders must have their valves protected by metal caps or other equally protective guards securely attached to the cylinders and be of sufficient strength to protect the valves from injury during transit, or by overpacking in strong wooden boxes of such design as to protect valves from injury or accidental functioning under conditions incident to transportation. Each overpack must conform to § 173.25. Shipments in 3AL cylinders are authorized only when transported by highway or rail.

(c) Each cylinder must be cleaned in compliance with the requirements of Federal Specification RR–C–901b, paragraphs 3.7.2 and 3.8.2. Cleaning agents equivalent to those specified in RR–C–901b may be used; however, any cleaning agent must not be capable of reacting with oxygen. One cylinder selected at random from a group of 200 or less cleaned at the same time must be tested for oil contamination in accordance with Specification RR–C–901b paragraph 4.4.2.3 and meet the standard of cleanliness specified.

§ 173.338 Tungsten hexafluoride.

Tungsten hexafluoride must be packed in specification 3A, 3AA, 3BN, or 3E (§§ 178.36, 178.37, 178.39, 178.42 of this subchapter) cylinders. Cylinders shall be equipped with a valve protection cap or be packed in a strong outside container complying with the provisions of § 173.40. Outlets of any valves must be capped or plugged. As an alternative, the cylinder opening may be closed by the use of a metal plug. Specification 3E cylinders must be shipped in an overpack that complies with the provisions of § 173.40.

§ 173.340 Tear gas devices.

(a) Packagings for tear gas devices must be approved prior to first shipment by the Director, OHMT.

(b) Tear gas devices may not be assembled with or packed in the same packaging with mechanically or manually operated firing, igniting, bursting, or other functioning elements unless of a type and design approved by the Director, OHMT.

(c) Tear gas grenades, tear gas candles, and similar devices must be packaged in packagings conforming to the requirements of Part 178 of this subchapter at the Packing Group II performance level, as follows:

(1) In UN 4C1, 4C2, 4D, or 4F metal-strapped wooden boxes. Functioning elements not assembled in grenades or devices must be in a separate compartment of these boxes, or in inner or separate outer boxes, UN 4C1 4C2, 4D, or 4F, and must be so packed and cushioned that they may not come in contact with each other or with the walls of the box during transportation. Not more than 50 tear gas devices and 50 functioning elements shall be packed in one box and the gross weight of the outer box may not exceed 35 kilograms (77.2 pounds).

(2) In a UN 1A2 metal drum. Functioning elements must be packed in a separate inner packaging or compartment. Not more than 24 tear gas devices and 24 functioning elements shall be packed in one outer drum and the gross weight of the drum may not exceed 35 kg. (77.2 pounds).

(3) In a UN 4G fiberboard box with inside tear gas devices meeting Specifications 2P or 2Q. Each inside packaging must be placed in fiberboard tubes fitted with metal ends or a fiber box with suitable padding. Not more than 30 inner packagings shall be packed in one outer box and the gross weight of the outer box may not exceed 16 kg (35.3 pounds).

(4) In other packagings of a type or design which is approved by the Director, OHMT.

(d) Tear gas devices may be shipped completely assembled when offered by or consigned to the U.S. Department of Defense, provided the functioning elements are so packed that they cannot accidently function. Outer packagings must be UN 4C1, 4C2, 4D, or 4F metal-strapped wooden boxes.

Subpart H—[Removed]

124. Subpart H would be removed and reserved.

Subpart I—Radioactive Materials

§ 173.416 [Amended]

125. In § 173.416, the reference "§ 178.34" would be revised to read "§ 178.360" in paragraphs (e) and (g), the reference "§ 178.104" would be revised to read "§ 178.354" in paragraph (d), the reference "§ 178.194" would be revised to read "§ 178.362" in paragraphs (e) and (f), and the reference "§ 178.195" would be revised to read "§ 178.364" in paragraph (g).

126. In § 173.417, the reference "§ 178.34" would be revised to read "§ 178.360" in paragraphs (b)(1) and (b)(2); the reference "§ 178.103" or "§ 178.103–5(a)", as appropriate, would be revised to read "§ 178.352" in paragraphs (a)(1), (a)(6)(iii) and (b)(1); the reference "§ 178.104" would be revised to read "§ 178.354" in paragraphs (a)(2) and (b)(2); the references "§ 178.120" and "§ 178.121" would be revised to read "§ 178.356" and "§ 178.358", respectively, in paragraphs (a)(8) and (b)(5); and the introductory text of paragraph (a)(6) would be revised to read as follows:

§ 173.417 Authorized packaging—fissile materials.

(a) * * *

(6) A 55-gallon 1A2 steel drum, subject to the following conditions:

* * * * *

127. Subparts J, K, L, M, N, and O would be removed.

Subparts J Through O—[Reserved]

Appendix B—[Amended]

128. In Appendix B:

(1) The title would be amended by changing the word "POLYETHYLENE" to "PLASTIC".

(2) In the first and second paragraphs, the word "polyethylene" would be revised to read "plastic" wherever it appears.

(3) In the second sentence of the first paragraph, the section reference "§ 173.24(d)(3)" would be revised to read "§ 173.24(e)(3)(iii)".

(4) In paragraph (6), the phrase "a height of 1.2 meters (3.94 feet) on to solid concrete" would be revised to read "a height determined in accordance with § 178.603(d) of this subchapter onto a rigid non-resilient, flat and horizontal surface."

129. Appendix C would be added, as follows:

Appendix C—Procedure for Base Level Vibration Testing

Base level vibration testing shall be conducted as follows:

1. Three sample packagings, selected at random, shall be filled and closed as for shipment. A non-hazardous material may be used in place of the hazardous material if it has essentially the same physical characteristics.

2. The three packages shall be placed on a vibrating platform that has a vertical double-amplitude (peak-to-peak displacement) of one inch. The packages should be constrained horizontally to prevent them from falling off the platform, but shall be left free to move vertically, bounce and rotate.

3. The test shall be performed for one hour at a frequency that causes the package to be raised from the vibrating platform to such a degree that a piece of material of approximately 1/16-inch (1.6 mm) thickness (such as steel strapping or paperboard) can be passed between the bottom of any package and the platform.

4. Immediately following the period of vibration, each package shall be removed from the platform, turned on its side and observed for any evidence of leakage.

5. Rupture or leakage from any of the packages constitutes failure of the test.

PART 176—CARRIAGE BY VESSEL

130. The authority citation for Part 176 would be revised to read as follows:

Authority: 49 U.S.C. 1803, 1804, 1805, 1806(b), 1808; 49 CFR Part 1.

131. Paragraph (d) of § 176.5 would be revised as follows:

§ 176.5 Application to vessels.

* * * * *

(d) Except for transportation in bulk packagings (as defined in § 171.8 of this subchapter), the bulk carriage of hazardous materials by water is governed by 46 CFR Subchapters D, I, O and N.

* * * * *

132. In § 176.83, paragraph (c)(6) would be added as follows:

§ 176.83 Segregation requirements for cargo vessels and passenger vessels.

* * * * *

(c) * * *

(6) *Clear of living quarters.* "Clear of living quarters" means that the hazardous material must be located so that in the event of release of the material, leakage or vapors will not penetrate accommodations, machinery spaces or other work areas by means of entrances or other openings in bulkheads or ventilation ducts.

* * * * *

133. Section 176.84 would be added as follows:

§ 176.84 Other requirements for stowage and segregation for cargo vessels and passenger vessels.

(a) *General.* When Column 10c of the § 172.101 Table refers to a numbered stowage provision for water shipments, the meaning and requirements of that provision are as set forth in this section. Terms in quotation marks are defined in § 176.83.

(b) *Table of provisions:*

Code	Provisions
1	(Reserved)
2	Temperature controlled material.
3	Do not stow with high explosives.
4	(Reserved)
5	(Reserved)
6	Emergency temperature material.
7	(Reserved)
8	Glass carboys not permitted on passenger vessels.
9	Glass carboys not permitted under deck.
10	Glass bottles not permitted under deck.
11	Keep away from heat and open flame.
12	Keep cool.
13	Keep dry.
14	Metal drums only permitted under deck.
15	May be stowed in portable magazine or metal locker.
16	No other cargo may be stowed in the same hold with this material.
17	(Reserved)
18	Prohibited on any vessel carrying explosives (except explosives in Division 1.4, Compatibility group S).
19	Protect from sparks and open flames.
20	Segregation same as for corrosives.
21	Segregation same as for flammable liquids.
22	Segregation same as for flammable liquids if flash-point below 61 °C (141 °F).
23	Segregation same as for flammable liquids if flash-point between 23 °C (73 °F) and 61 °C (141 °F).
24	Segregation same as for flammable solids.
25	Shade from radiant heat.
26	Stow "away from" acids.
27	Stow "away from" alkaline compounds.
28	(Reserved)
29	Stow "away from" ammonium compounds.
30	Stow "away from" animal or vegetable oils.
31	Stow "away from" combustible materials.
32	Stow "away from" copper, its alloys and its salts.
33	Stow "away from" fluorides.
34	Stow "away from" foodstuffs.
35	Stow "away from" all odor-absorbing cargo.
36	Stow "away from" heavy metals and their compounds.
37	Stow "away from" hydrazine.
38	Stow "away from" all other corrosives.
39	Stow "away from" liquid halogenated hydrocarbons.
40	Stow "clear of living quarters".
41	Stow "away from" mercury and its compounds.
42	Stow "away from" nitric acids and perchloric acids not exceeding 50% acid by weight.
43	Stow "away from" organic materials.
44	Stow "away from" oxidizers.
45	Stow "away from" permanganates.
46	Stow "away from" powdered metals.
47	Stow "away from" sodium compounds.
48	Stow "away from" sources of heat.
49	Stow "away from" corrosives.
50	Stow "away from" sources of heat where temperatures in excess of 55 °C (131 °F) for a period of 24 hours or more will be encountered.
51	Stow "separated from" acetylene.
52	Stow "separated from" acids.
53	Stow "separated from" alkaline compounds.
54	Stow "separated from" animal or vegetable oils.
55	Stow "separated from" ammonia.
56	Stow "separated from" ammonium compounds.
57	Stow "separated from" chlorine.
58	Stow "separated from" cyanides.
59	Stow "separated from" combustible materials.
60	Stow "separated from" chlorates, chlorites, hypochlorites, nitrites, perchlorates, permanganates, and metallic powders.
61	Stow "separated from" corrosive materials.
62	Stow "separated from" diborane.
63	Stow "separated from" diethylene triamine.
64	Stow "separated from" explosives.
65	Stow "separated from" flammable substances.
66	Stow "separated from" flammable solids.
67	Stow "separated from" halides.
68	Stow "separated from" hydrogen.
69	Stow "separated from" hydrogen peroxide.
70	Stow "separated from" mercury salts.
71	Stow "separated from" nitric acid.
72	Stow "separated from" nitrogen compounds.
73	Stow "separated from" nitrogen compounds and chlorates.
74	Stow "separated from" oxidizers.
75	Stow "separated from" permanganates.
76	Stow "separated by a complete compartment or hold from" organic peroxides.
77	Stow "separated longitudinally by a complete compartment or hold from" explosives.
78	Stow "separated longitudinally by an intervening complete compartment or hold from" explosives.
79	The maximum net quantity in one package for this material shipped aboard a passenger vessel is limited to 50 pounds (22.7 kg).
80	Toy torpedoes must not be packed with other special fireworks.
81	Under deck stowage permitted only if an indicating substance such as chloropicrin has been added.
82	Under deck stowage is permitted only if containing not more than 36% by weight of hydrazine.
83	(Reserved)
84	Under deck stowage must be in well-ventilated space.
85	Under deck stowage must be in mechanically ventilated space.
86	Stow "separated by a complete compartment or hold from" explosives Class 1.3.
87	Stow "separated from" explosives except Class 1.4.
88	Stow "separated by a complete compartment or hold from" explosives except Class 1.4.
89	Segregation same as for oxidizers.
90	Stow "separated from" radioactive materials.
91	Stow "separated from" flammable solids.
92	Stow "separated from" powdered materials.
93	Stow not accessible to unauthorized persons on passenger vessels.
94	Plastic jericans and plastic drums not permitted under deck.
95	Stow "separated from" foodstuffs.
96	Glass carboys not permitted under deck on passenger vessels.
97	Stow "away from" azides.
98	Stow "away from" all flammable materials.
99	Only new metal drums permitted on passenger vessels.

PART 178—[AMENDED]

134. The authority citation for Part 178 would continue to read as follows:

Authority: 49 U.S.C. 1803, 1804, 1805, 1806, 1808; 49 CFR Part 1, unless otherwise noted.

135. The title to Part 178 would be revised to read:

PART 178—SPECIFICATIONS FOR PACKAGINGS

136. Section 178.0–2 would be revised to read as follows:

§ 178.0–2 Applicability and manufacturers' responsibility.

(a) Applicability. Any person who performs a function prescribed in this part shall perform that function in accordance with this part.

(b) Specification markings. When this part requires that a packaging be marked with a DOT specification or UN standard marking (for example, DOT–3AL 1800–1234–XY, UN 1A1/Y1.4/150/85) compliance with that requirement is the responsibility of the manufacturer (see § 171.8 of this subchapter for definition of "manufacturer") of the packaging. Except as otherwise provided in this section, marking of the packaging by the manufacturer with the appropriate DOT or UN markings is the certification by the manufacturer that—

(1) All requirements of the DOT specification or the UN standard, including performance tests, are met; and

(2) All functions performed by the manufacturer conform to requirements specified in this part.

(c) General requirements for packagings. Manufacturers of packagings shall comply with general requirements for packagings prescribed in Subpart B of Part 173 (particularly, § 173.24) of this subchapter to the extent that those requirements apply to the design, construction and suitability for use of the specification or standard to which the packaging is manufactured.

(d) Notification. Except as specifically provided in § 178.337–18 and 178.340–10, the manufacturer of a packaging shall inform in writing each person to whom that packaging is transferred of all requirements of this part not met at the

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time of transfer, and all actions which need to be taken for the packaging to conform to the requirements of this part. This notice must also include the type and dimensions of any closures needed to satisfy performance test requirements. Copies of these written statements shall be retained by the manufacturer for at least one year from date of issuance and must be open to inspection by a representative of the Department.

(e) Except as provided in paragraph (d) of this section, packagings which do not conform to the applicable specifications or standards in this part may not be marked to indicate such conformance.

137. Section 178.0–3 would be revised to read as follows:

§ 178.0–3 Marking of packagings.

(a) Each packaging manufactured to a DOT specification or a UN standard shall be marked as follows:

(1) In an unobstructed area, with letters, and numerals identifying the standards or specification (e.g. UN 1A1, DOT 4B240ET, etc.).

(2) With the name and address or symbol of the person making the mark. Symbols, if used, must be registered with the Director, OHMT.

(3) The markings must be stamped, embossed, burned, printed or otherwise marked on the packaging to provide adequate accessibility, permanency, contrast, and legibility so as to be readily apparent and understood.

(4) Unless otherwise specified, letters and numerals must be at least 12.0mm (0.47 inches) in height except that for packagings of less than or equal to 30 liters (7.9 gallons) capacity for liquids or 30 kilograms (66.1 pounds) capacity for solids the height must be at least 6.0mm (0.24 inches).

(b) Packagings may be marked with the United Nations symbol and packaging identification code as provided in this subchapter, in the ICAO Technical Instructions or in Annex 1 to the IMDG Code, provided the person applying these marks has established that the packaging conforms to the applicable provisions of this subchapter, the ICAO Technical Instructions or Annex 1 to the IMDG Code, respectively.

(1) If an indication of the State in whose territory the specified tests have been carried out, or of the State authorizing the allocation of the mark, is required, the letters "USA" shall be used.

(2) If an indication of the name of the manufacturer or other identification of the packaging as specified by the competent authority is required, the name and address or symbol of the person making the mark shall be entered. Symbols, if used, must be registered with the Director, OHMT. Duplicate symbols are not authorized.

(3) Packagings manufactured to UN standards in accordance with this subchapter shall be marked as prescribed in § 178.503.

Subpart A—[Removed and Reserved]

138. Subpart A of Part 178 would be removed and reserved.

Subpart B—[Amended]

139. In Subpart B, § 178.34 would be redesignated as § 178.360 and moved to Subpart K. With the exception of §§ 178.33 and 178.33a, the remaining sections in Subpart B would be removed.

140. The title of § 178.33 would be revised to read as follows:

§ 178.33 Specification 2P; inner nonrefillable metal receptacles.

* * * * *

141. The title to § 178.33a would be revised to read as follows:

§ 178.33a Specification 2Q; inner nonrefillable metal receptacles.

* * * * *

Subpart D—[Amended]

142. In Subpart D, §§ 178.103 through 178.103–6, 178.104 through 178.104–5, 178.120 through 178.120–5 and 178.121 through 178.121–4 would be moved to Subpart K and be redesignated as §§ 178.352 through 178.352–6, 178.354 through 178.354–5, 178.356 through 178.356–5 and 178.358 through 178.358–4, respectively. Then Subpart D would be removed and reserved.

Subpart E—[Amended]

143. In Subpart E, §§ 178.194 through 178.194–7 and 178.195 through 178.195–6 would be moved to Subpart K and be redesignated as §§ 178.362 through 178.362–7 and 178.364 through 178.364–6 respectively. Then Subpart E would be removed and reserved.

Subparts F and G—[Removed and Reserved]

144. Subparts F and G would be removed and reserved.

Subpart H—Specifications for Portable Tanks

145. In § 178.270–11, paragraphs (c) (1) and (2) would be revised to read as follows:

§ 178.270–11 Pressure and vacuum relief devices.

* * * * *

(c) *Pressure settings of relief devices.*

(1) *Primary pressure relief devices.* The primary relief device required by paragraph (a) of this section must be set to function in the range of—

(i) No less than 67 percent and no greater than 83 percent of test pressure for tanks hydrostatically tested under § 178.270–13(a) at a pressure below 66 psig (455.1 kPa). Spring-loaded pressure relief valves must close after discharge at a pressure not less than 80 percent of start-to-discharge pressure.

(ii) No less than 67 percent and no greater than 74 percent of test pressure for tanks hydrostatically tested under § 178.270–13(a) at a pressure of 66 psig (455.1 kPa) or higher. Spring-loaded pressure relief valves must close after discharge at a pressure not less than 90 percent of start to discharge pressure.

(2) *Emergency pressure relief devices.* Each frangible disc, other than one used as a primary relief device in accordance with paragraph (b)(2) of this section, must be designed to burst at a pressure greater than 83 percent of and less than or equal to tank hydrostatic test pressure. Each spring-loaded pressure relief valve used as an emergency pressure relief device must be set to operate at no less than 83 percent of hydrostatic test pressure and be fully open at test pressure.

* * * * *

146. The title to Subpart K would be revised to read as follows:

Subpart K—Specifications for Packagings for Radioactive Materials

147. A new Subpart L would be added to read as follows:

Subpart L—Non-bulk Performance-oriented Packaging Standards

Sec.

178.500 Purpose, scope and definitions.
178.502 Identification codes for packagings.
178.503 Marking of packagings.
178.504 Standards for steel drums.
178.505 Standards for aluminum drums.
178.506 Standards for metal drums other than steel or aluminum.
178.507 Standards for plywood drums.
178.508 Standards for fiber drums.
178.509 Standards for plastic drums and jerricans.
178.510 Standards for wooden barrels.
178.511 Standards for steel jerricans.
178.512 Standards for steel or aluminum boxes.
178.513 Standards for boxes of natural wood.
178.514 Standards for plywood boxes.
178.515 Standards for reconstituted wood boxes.

Sec.
178.516 Standards for fiberboard boxes.
178.517 Standards for plastic boxes.
178.518 Standards for woven plastic bags.
178.519 Standards for plastic film bags.
178.520 Standards for textile bags.
178.521 Standards for paper bags.
178.522 Standards for composite packagings with inner plastic receptacles.
178.523 Standards for composite packagings with inner glass, porcelain, or stoneware receptacles.

Subpart L—Non-bulk Performance-oriented Packaging Standards

§ 178.500 Purpose, scope and definitions.

(a) This subpart prescribes certain requirements for non-bulk packagings for hazardous materials. Standards for these packagings are based on the UN Recommendations.

(b) Terms used in this subpart are defined in § 171.8 of this subchapter.

§ 178.502 Identification codes for packagings.

(a) Identification codes for designating types of packagings consist of the following:

(1) A numeral indicating the type of packaging, as follows:

(i) "1" means a drum.
(ii) "2" means a wooden barrel.
(iii) "3" means a jerrican.
(iv) "4" means a box.
(v) "5" means a bag.
(vi) "6" means a composite packaging.
(vii) "7" means a pressure receptacle.

(2) A capital letter indicating the material of construction, as follows:

(i) "A" means steel (all types and surface treatments).
(ii) "B" means aluminum.
(iii) "C" means natural wood.
(iv) "D" means plywood.
(v) "F" means reconstituted wood.
(vi) "G" means fiberboard.
(vii) "H" means plastic.
(viii) "L" means textile.
(ix) "M" means paper, multiwall.
(x) "N" means metal (other than steel or aluminum).
(xi) "P" means glass, porcelain or stoneware.

(3) A numeral indicating the category of packaging within the type to which the packaging belongs. For example, for steel drums ("1A"), "1" indicates a non-removable head drum (i.e., "1A1") and "2" indicates a removable head drum (i.e., "1A2").

(b) For composite packagings, two capital letters are used in sequence in the second position of the code, the first indicating the material of the inner receptacle and the second, that of the outer packaging. For example, a plastic receptacle in a steel drum is designated "6HA1".

(c) For combination packagings, only the code number for the outer packaging is used.

(d) Identification codes are set forth in the standards for packagings in §§ 178.504 through 178.523.

§ 178.503 Marking of packagings.

(a) The manufacturer shall mark every package that is required to conform to a UN standard of this subpart in a durable and clearly visible manner, with the following information and in the sequence presented:

(1) The United Nations symbol as illustrated in paragraph (d) of this section (for metal receptacles, the letters UN may be applied in place of the symbol);

(2) A packaging identification code designating the type of packaging, the material of construction and, when appropriate, the category of packaging under §§ 178.504 through 178.523 within the type to which the packaging belongs;

(3) A letter identifying the performance standard under which the packaging has been successfully tested, as follows:

(i) X—for packagings meeting Packing Group I, II and III tests;
(ii) Y—for packagings meeting Packing Group II and III tests; or
(iii) Z—for packagings only meeting Packing Group III tests;

(4) A designation of the specific gravity or mass for which the packaging has been tested, as follows:

(i) For packaging without inner packagings intended to contain liquids (except viscous liquids), the designation shall be the specific gravity rounded down to the first decimal but may be omitted when the specific gravity does not exceed 1.2; and

(ii) For packagings intended to contain viscous liquids, solids, or inner packagings, the designation must be the maximum gross mass in kilograms;

(5) Either a letter "S" designating that the packaging is intended only for the transport of solids or inner packagings, or the test pressure in kilopascals rounded off to the nearest 10 kilopascals of the hydrostatic pressure test that the packaging has successfully passed;

(6) The last two digits of the year of manufacture. Packagings of types 1H and 3H shall also be marked with the month of manufacture in any appropriate manner; this may be marked on the packaging in a different place from the remainder of the markings;

(7) The letters "USA" (indicating that the packaging was marked pursuant to the provisions of this subchapter);

(8) The name and address or symbol of the person applying the marks required by this section. Symbols, if used, must be registered in advance with the Director, OHMT;

(9) For metal or plastic drums or jerricans intended for reuse the minimum thickness of the packaging material, expressed in millimeters and abbreviated "mm", and

(10) For drums intended as packagings for nitric acid, the tare weight in kilograms preceded by the letters TW.

(b) For a reusable packaging likely to undergo a reconditioning process, the markings required in paragraphs (a)(1) through (a)(6) and (a)(9) of this section shall be applied in a permanent manner (e.g., by embossment) able to withstand the reconditioning process. For a packaging with a removable head, the markings may not be applied to the removable head.

(c) If a package is reconditioned, it shall be marked by the reconditioner near the marks required in paragraphs (a) (1) through (6) of this section with the following additional information:

(1) The name of the country in which the reconditioning was performed (in the United States, use the letters "USA";

(2) The name and address or symbol of the reconditioner. Symbols, if used, shall be registered in advance with the Director, OHMT);

(3) The month and last two digits of the year of reconditioning;

(4) The letter "R"; and

(5) For every packaging successfully passing a leakproofness test, the additional letter "L".

(d) The following are examples of symbols and required markings:

(1) The United Nations symbol is:

(2) Examples of markings for a new packaging are as follows:

(i) For a fiberboard box designed to contain an inner receptacle:

UN 4G/Y145/S/83
USA/RA

(as in § 178.503(a)(1) through (a)(8)).

(ii) For a steel drum designed to contain liquids:

UN 1A1/Y1.4/150/83
USA/VL824
1MM

(as in § 178.503(a)(1) through (a)(9)).

(iii) For a steel drum to transport solids, viscous liquids or inner packagings:

UN 1A2/Y150/S/83
USA/VL825

(as in § 178.503(a)(1) through (a)(8)).

(3) Examples of markings for reconditioned packagings are as follows:

UN 1A1/Y1.4/150/83
USA/VL824 1mm
USA/RB/10–85RL

(as in § 178.503(c)(1), (2), (3) and (4)).

§ 178.504 Standards for steel drums.

(a) The following are identification codes for steel drums:

(1) 1A1 for a non-removable head steel drum; and,

(2) 1A2 for a removable head steel drum.

(b) Construction requirements for steel drums are as follows:

(1) Body and heads shall be constructed of steel sheet of suitable type and adequate thickness in relation to the capacity and intended use of the drum.

(2) Body seams shall be welded on drums designed to contain more than 40 liters (10.6 gallons) of liquids. Body seams shall be mechanically seamed or welded on drums intended to contain only solids or 40 liters (10.6 gallons) or less of liquids.

(3) Chimes shall be mechanically seamed or welded. Separate reinforcing rings may be applied.

(4) The body of a drum of a capacity greater that 60 liters (15.9 gallons) must, in general, have at least two expanded rolling hoops, or alternatively, at least two separate rolling hoops. If there are separate rolling hoops, they shall be fitted tightly on the body and so secured that they cannot shift. Rolling hoops may not be spot welded.

(5) Openings for filling, emptying and venting in the bodies or heads of non-removable head (1A1) drums may not exceed 7.0 centimeters (2.76 inches) in diameter. Drums with larger openings are considered to be of the removable head type (1A2). Closures for openings in the bodies and heads of drums shall be so designed and applied that they will remain secure and leakproof under normal conditions of transport. Closure flanges shall be mechanically seamed or welded in place. Gaskets or other sealing elements shall be used with closures unless the closure is inherently leakproof.

(6) Closure devices for removable head drums shall be so designed and applied that they will remain secure and drums will remain leakproof under normal conditions of transport. Gaskets or other sealing elements shall be used with all removable heads.

(7) If materials used for body, heads, closures, and fittings are not in themselves compatible with the contents to be transported, suitable internal protective coatings or treatments shall be applied. These coatings or treatments shall retain their protective properties under normal conditions of transport.

(8) Maximum capacity of drum: 450 liters (118.9 gallons).

(9) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.505 Standards for aluminum drums.

(a) The following are the identification codes for aluminum drums:

(1) 1B1 for a non-removable head aluminum drum; and

(2) 1B2 for a removable head aluminum drum.

(b) Construction requirements for aluminum drums are as follows:

(1) Body and heads shall be constructed of aluminum at least 99 percent pure or an aluminum base alloy. Material shall be of suitable type and adequate thickness in relation to the capacity and the intended use of the drum.

(2) All seams shall be welded. Chime seams, if any, shall be reinforced by the application of separate reinforcing rings.

(3) The body of a drum of a capacity greater than 60 liters (15.9 gallons) must, in general, have at least two expanded rolling hoops, or alternatively, at least two separate rolling hoops. If there are separate rolling hoops, the hoops shall be fitted tightly on the body and so secured that they cannot shift. Rolling hoops shall not be spot welded.

(4) Openings for filling, emptying, or venting in the bodies or heads of non-removable head (1B1) drums may not exceed 7.0 centimeters (2.76 inches) in diameter. Drums with larger openings are considered to be of the removable head type (1B2). Closures for openings in the bodies and heads of drums shall be so designed and applied that they will remain secure and leakproof under normal conditions of transport. Closure flanges shall be welded in place so that the weld provides a leakproof seam. Gaskets or other sealing elements shall be used with closures unless the closure is inherently leakproof.

(5) Closure devices for removable head drums shall be so designed and applied that they remain secure and drums remain leakproof under normal conditions of transport. Gaskets or other sealing elements shall be used with all removable heads.

(6) Maximum capacity of drum: 450 liters (118.9 gallons).

(7) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.506 Standards for metal drums other than steel or aluminum.

(a) The following are the identification codes for metal drums other than steel or aluminum:

(1) 1N1 for a non-removable head metal drum.

(2) 1N2 for a removable head metal drum.

(b) Construction requirements for metal drums other than steel or aluminum are as follows:

(1) Body and heads shall be constructed of metal (other than steel or aluminum) of suitable type and adequate thickness in relation to the capacity and the intended use of the drum.

(2) All seams shall be welded. Chime seams, if any, shall be reinforced by the application of separate reinforcing rings.

(3) The body of a drum of a capacity greater than 60 liters (15.85 gallons) must, in general, have at least two expanded rolling hoops, or alternatively, at least two separate rolling hoops. If there are separate rolling hoops, the hoops shall be fitted tightly on the body and so secured that they cannot shift. Rolling hoops shall not be spot welded.

(4) Openings for filling, emptying, or venting in the bodies or heads of non-removable head (1N1) drums may not exceed 7.0 centimeters (2.76 inches) in diameter. Drums with larger openings are considered to be of the removable head type (1N2). Closures for openings in the bodies and heads of drums shall be so designed and applied that they will remain secure and leakproof under normal conditions of transport. Closure flanges shall be welded in place so that the weld provides a leakproof seam. Gaskets or other sealing elements shall be used with closures unless the closure is inherently leakproof.

(5) Closure devices for removable head drums shall be so designed and applied that they remain secure and drums remain leakproof under normal conditions of transport. Gaskets or other sealing elements shall be used with all removable heads.

(6) Maximum capacity of drum: 450 liters (118.9 gallons).

(7) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.507 Standards for plywood drums.

(a) The identification code for a plywood drum is 1D.

(b) Construction requirements for plywood drums are as follows:

(1) The wood used must be well-seasoned, commercially dry and free from any defect likely to lessen the effectiveness of the drum for the purpose intended. A material other than plywood may be used for the manufacture of the heads, if it is of strength and durability at least equivalent to the plywood.

(2) At least two-ply plywood shall be used for the body and at least three-ply plywood for the heads; the plies shall be firmly glued together, with their grains crosswise.

(3) The body and heads of the drum and their joints must be of a design appropriate to the capacity of the drum and its intended use.

(4) In order to prevent sifting of the contents, lids shall be lined with kraft paper or some other equivalent material which shall be securely fastened to the lid and extend to the outside along its full circumference.

(5) Maximum capacity of drum: 250 liters (66.0 gallons).

(6) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.508 Standards for fiber drums.

(a) The identification code for a fiber drum is 1G.

(b) Construction requirements for fiber drums are as follows:

(1) The body of the drum shall be constructed of multiple plies of heavy paper or fiberboard (without corrugations) firmly glued or laminated together and may include one or more protective layers of bitumen, waxed kraft paper, metal foil, plastic material, or similar materials.

(2) Heads must be of natural wood, fiberboard, metal, plywood or plastic material and may include one or more protective layers of bitumen, waxed kraft paper, metal foil, plastic material, or similar material.

(3) The body and heads of the drum and their joints must be of a design appropriate to the capacity and intended use of the drum.

(4) The assembled packaging must be sufficiently water-resistant so as not to delaminate under normal conditions of transport.

(5) Maximum capacity of drum: 450 liters (118.9 gallons).

(6) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.509 Standards for plastic drums and jerricans.

(a) The following are identification codes for plastic drums and jerricans:

(1) 1H1 for a non-removable head plastic drum;

(2) 1H2 for a removable head plastic drum;

(3) 3H1 for a non-removable head jerrican; and

(4) 3H2 for a removable head jerrican.

(b) Construction requirements for plastic drums and jerricans are as follows:

(1) The packaging shall be manufactured from suitable plastic material and be of adequate strength in relation to its capacity and intended use. No used material other than production residues or regrind from the same manufacturing process may be used. The packaging must be adequately resistant to aging and to degradation caused either by the substance contained or by ultra-violet radiation. Any permeation of the substance contained must not constitute a danger under normal conditions of transport.

(2) If protection against ultra-violet radiation is required, it shall be provided by the addition of carbon black or other suitable pigments or inhibitors. These additives must be compatible with the contents and remain effective throughout the life of the packaging. Where use is made of carbon black, pigments or inhibitors other than those used in the manufacture of the design type, retesting may be waived if the carbon black content does not exceed 2 percent by mass or if the pigment content does not exceed 3 percent by mass; the content of inhibitors of ultra-violet radiation is not limited.

(3) Additives serving purposes other than protection against ultra-violet radiation may be included in the composition of the plastic material provided they do not adversely affect the chemical and physical properties of the packaging material.

(4) The wall thickness at every point of the packaging must be appropriate to its capacity and its intended use, taking into account the stresses to which each point is liable to be exposed.

(5) Openings for filling, emptying and venting in the bodies or heads of non-removable head (1H1) drums and jerricans (3H1) may not exceed 7.0 centimeters (2.76 inches) in diameter. Drums and jerricans with larger openings are considered to be of the removable head type (1H2 and 3H2). Closures for openings in the bodies or heads of drums and jerricans shall be so designed and applied that they remain secure and leakproof under normal conditions of transport. Gaskets or other sealing elements shall be used with closures unless the closure is inherently leakproof.

(6) Closure devices for removable head drums and jerricans shall be so designed and applied that they remain secure and leakproof under normal conditions of transport. Gaskets shall be used with all removable heads unless the drum or jerrican design is such that when the removable head is properly secured, the drum or jerrican is inherently leakproof.

(7) Maximum capacity of drums and jerricans: 1H1, 1H2: 450 liters (118.9 gallons); 3H1, 3H2: 60 liters (15.9 gallons).

(8) Maximum net mass: 1H1, 1H2: 400 kg (881.8 pounds); 3H1, 3H2: 120 kg (264.6 pounds).

§ 178.510 Standards for wooden barrels.

(a) The following are identification codes for wooden barrels:

(1) 2C1 for a bung type wooden barrel; and

(2) 2C2 for a slack type (removable head) wooden barrel.

(b) Construction requirements for wooden barrels are as follows:

(1) The wood used must be of good quality, straight-grained, well-seasoned and free from knots, bark, rotten wood, sapwood or other defects likely to lessen the effectiveness of the barrel for the purpose intended.

(2) The body and heads must be of a design appropriate to the capacity and intended use of the barrel.

(3) Staves and heads shall be sawn or cleft with the grain so that no annual ring extends over more than half the thickness of a stave or head.

(4) Barrel hoops must be of steel or iron of good quality. The hoops of 2C2 barrels may be of a suitable hardwood.

(5) For wooden barrels 2C1, the diameter of the bung-hole may not exceed half the width of the stave in which it is placed.

(6) For wooden barrels 2C2, heads must fit tightly into crozes.

(7) Maximum capacity of barrel: 250 liters (66.0 gallons)

(8) Maximum net mass: 400 kilograms (881.8 pounds)

§ 178.511 Standards for steel jerricans.

(a) The following are identification codes for steel jerricans:

(1) 3A1 for a non-removable head jerrican; and

(2) 3A2 for a removable head jerrican.

(b) Construction requirements for steel jerricans are as follows:

(1) Body and heads shall be constructed of steel sheet of suitable type and adequate thickness in relation to the capacity of the jerrican and intended use.

(2) Chimes of all jerricans shall be mechanically seamed or welded. Body seams of jerricans intended to carry

more than 40 liters (10.6 gallons) of liquid shall be welded. Body seams of jerricans intended to carry 40 liters (10.6 gallons) or less shall be mechanically seamed or welded.

(3) Openings in jerricans (3A1) may not exceed 7.0 centimeters (2.76 inches) in diameter. Jerricans with larger openings are considered to be of the removable head type. Closures shall be so designed that they remain secure and leakproof under normal conditions of transport. Gaskets or other sealing elements shall be used with closures, unless the closure is inherently leakproof.

(4) If materials used for body, heads, closures and fittings are not in themselves compatible with the contents to be transported, suitable internal protective coatings or treatments shall be applied. These coatings or treatments must retain their protective properties under normal conditions of transport.

(5) Maximum capacity of jerrican: 60 liters (15.9 gallons).

(6) Maximum net mass: 120 kilograms (264.6 pounds).

§ 178.512 Standards for steel or aluminum boxes.

(a) The following are identification codes for steel or aluminum boxes:

(1) 4A1 for an unlined and uncoated steel box;

(2) 4A2 for a steel box with inner liner or coating;

(3) 4B1 for an unlined and uncoated aluminum box; and

(4) 4B2 for an aluminum box with inner liner or coating.

(b) Construction requirements for steel or aluminum boxes are as follows:

(1) The strength of the metal and the construction of the box must be appropriate to the capacity and intended use of the box.

(2) Boxes 4A2 and 4B2 shall be lined with fiberboard or felt packing pieces, as required, or shall have an inner liner or coating of suitable material. If a double seamed metal liner is used, steps shall be taken to prevent the ingress of substances, particularly explosives, into the recesses of the seams.

(3) Closures may be of any suitable type, and must remain secure under normal conditions of transport.

(4) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.513 Standards for boxes of natural wood.

(a) The following are the identification codes for boxes of natural wood:

(1) 4C1 for an ordinary box; and

(2) 4C2 for a box with sift-proof walls.

(b) Construction requirements for boxes of natural wood are as follows:

(1) The wood used must be well-seasoned, commercially dry and free from defects that would materially lessen the strength of any part of the box. The strength of the material used and the method of construction must be appropriate to the capacity and intended use of the box. The tops and bottoms may be made of water-resistant reconstituted wood such as hard board, particle board or other suitable type.

(2) Each part of the 4C2 box must be one piece or equivalent. Parts are considered equivalent to one piece when one of the following methods of glued assembly is used: Linderman joint, tongue and groove joint, ship lap or rabbet joint, or butt joint with at least two corrugated metal fasteners at each joint.

(3) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.514 Standards for plywood boxes.

(a) The identification code for a plywood box is 4D.

(b) Construction requirements for plywood boxes are as follows:

(1) Plywood used must be at least 3 ply. It shall be made from well-seasoned rotary cut, sliced or sawn veneer, commercially dry and free from defects that would materially lessen the strength of the box. The strength of the material used and the method of construction must be appropriate to the capacity and intended use of the box. All adjacent plies shall be glued with water-resistant adhesive. Other suitable materials may be used together with plywood in the construction of boxes. Boxes shall be nailed or secured to corner posts or ends or assembled with other equally suitable devices.

(2) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.515 Standards for reconstituted wood boxes.

(a) The identification code for a reconstituted wood box is 4F.

(b) Construction requirements for reconstituted wood boxes are as follows:

(1) The walls of boxes shall be made of water-resistant, reconstituted wood such as hardboard, particle board, or other suitable type. The strength of the material used and the method of construction must be appropriate to the capacity of the boxes and their intended use.

(2) Other parts of the box may be made of other suitable materials.

(3) Boxes shall be securely assembled by means of suitable devices.

(4) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.516 Standards for fiberboard boxes.

(a) The identification code for a fiberboard box is 4G.

(b) Construction requirements for fiberboard boxes are as follows:

(1) Strong, solid or double-faced corrugated fiberboard (single or multiwall) shall be used, appropriate to the capacity and intended use of the box. The water resistance of the outer surface must be such that the increase in mass, as determined in a test carried out over a period of 30 minutes by the Cobb method of determining water absorption, is not greater than 155 grams per square meter (0.0316 pounds per square foot)—see ISO International Standard 535–1976 (E). It must have proper bending qualities. Fiberboard shall be cut, creased without scoring, and slotted so as to permit assembly without cracking, surface breaks, or undue bending. The fluting of corrugated fiberboard shall be firmly glued to the facings.

(2) The ends of boxes may have a wooden frame or be entirely of wood. Reinforcements of wooden battens may be used.

(3) *Manufacturing joints.* (i) Manufacturing joints in the bodies of boxes shall be—

(A) Taped;

(B) Lapped and glued; or

(C) Lapped and stitched with metal staples.

(ii) Lapped joints shall have an appropriate overlap.

(iii) Where closing is effected by gluing or taping, a water resistant adhesive shall be used.

(4) Boxes shall be designed so as to provide a snug fit to the contents.

(5) Maximum net mass: 400 kilograms (881.8 pounds).

§ 178.517 Standards for plastic boxes.

(a) The following are identification codes for plastic boxes:

(1) 4H1 for an expanded plastic box; and

(2) 4H2 for a solid plastic box.

(b) Construction requirements for plastic boxes are as follows:

(1) The box shall be manufactured from suitable plastic material and be of adequate strength in relation to its capacity and intended use. The box must be adequately resistant to ageing and to degradation caused either by the substance contained or by ultra-violet radiation.

(2) An expanded plastic box must consist of two parts made of a moulded expanded plastic material: A bottom section containing cavities for the inner receptacles, and a top section covering and interlocking with the bottom

section. The top and bottom sections shall be so designed that the inner receptacles fit snugly. The closure cap for any inner receptacle may not be in contact with the inside of the top section of the box.

(3) For transportation, an expanded plastic box shall be closed with a self-adhesive tape having sufficient tensile strength to prevent the box from opening. The adhesive tape must be weather resistant and its adhesive compatible with the expanded plastic material of the box. Other closing devices at least equally effective may be used.

(4) For solid plastic boxes, protection against ultra-violet radiation, if required, shall be provided by the addition of carbon black or other suitable pigments or inhibitors. These additives must be compatible with the contents and remain effective throughout the life of the box. Where use is made of carbon black pigment or inhibitors other than those used in the manufacture of the tested design type, retesting may be waived if the carbon black content does not exceed 2 percent by mass or if the pigment content does not exceed 3 percent by mass; the content of inhibitors of ultra-violet radiation is not limited.

(5) Additives serving purposes other than protection against ultra-violet radiation may be included in the composition of the plastic material if they do not adversely affect the material of the box. Addition of these additives does not change the design type.

(6) Solid plastic boxes must have closure devices made of a suitable material of adequate strength and so designed as to prevent the box from unintentional opening.

(7) Maximum net mass 4H1: 60 kg (132.3 pounds); 4H2: 400 kg (881.8 pounds).

§ 178.518 Standards for woven plastic bags.

(a) The following are identification codes for woven plastic bags:

(1) 5H1 for an unlined or non-coated woven plastic bag;

(2) 5H2 for a sift proof woven plastic bag; and

(3) 5H3 for a water-resistant woven plastic bag.

(b) Construction requirements for woven plastic fabric bags are as follows:

(1) Bags shall be made from stretched tapes or monofilaments of a suitable plastic material. The strength of the material used and the construction of the bag must be appropriate to the capacity and intended use of the bag.

(2) If the fabric is woven flat, the bags shall be made by sewing or some other method ensuring closure of the bottom and one side. If the fabric is tubular, the bag shall be closed by sewing, weaving, or some other equally strong method of closure.

(3) Bags, sift-proof, 5H2 shall be made sift-proof by appropriate means such as use of paper or a plastic film bonded to the inner surface of the bag or one or more separate inner liners made of paper or plastic material.

(4) Bags, water-resistant, 5H3: To prevent the entry of moisture, the bag shall be made waterproof by appropriate means, such as separate inner liners of water-resistant paper (e.g., waxed kraft paper, double-tarred kraft paper or plastic-coated kraft paper), or plastic film bonded to the inner or outer surface of the bag, or one or more inner plastic liners.

(5) Maximum net mass: 50 kilograms (110.2 pounds).

§ 178.519 Standards for plastic film bags.

(a) The identification code for a plastic film bag is 5H4.

(b) Construction requirements for plastic film bags are as follows:

(1) Bags shall be made of a suitable plastic material. The strength of the material used and the construction of the bag must be appropriate to the capacity and the intended use of the bag. Joints and closures must be capable of withstanding pressures and impacts liable to occur under normal conditions of transportation.

(2) Maximum net mass: 50 kilograms (110.2 pounds).

§ 178.520 Standards for textile bags.

(a) The following are identification codes for textile bags:

(1) 5L1 for an unlined or non-coated textile bag;

(2) 5L2 for a sift-proof textile bag; and

(3) 5L3 for a water-resistant textile bag.

(b) Construction requirements for textile bags are as follows:

(1) The textiles used must be of good quality. The strength of the fabric and the construction of the bag must be appropriate to the capacity and intended use of the bag.

(2) Bags, sift-proof, 5L2: The bag shall be made sift-proof, by appropriate means, such as by the use of paper bonded to the inner surface of the bag by a water-resistant adhesive such as bitumen, plastic film bonded to the inner surface of the bag, or one or more inner liners made of paper or plastic material.

(3) Bags, water-resistant, 5L3: To prevent entry of moisture, the bag shall be made waterproof by appropriate means, such as by the use of separate inner liners of water-resistant paper (e.g., waxed kraft, paper, tarred paper, or plastic-coated kraft paper), or plastic film bonded to the inner surface of the bag, or one or more inner liners made of plastic material.

(4) Maximum net mass: 50 kilograms (110.2 pounds).

§ 178.521 Standards for paper bags.

(a) The following are identification codes for paper bags:

(1) 5M1 for a multiwall paper bag; and

(2) 5M2 for a multiwall water-resistant paper bag.

(b) Construction requirements for paper bags are as follows:

(1) Bags shall be made of a suitable kraft paper, or of an equivalent paper with at least three plies. The strength of the paper and the construction of the bag must be appropriate to the capacity and intended use of the bag. Seams and closures must be sift-proof.

(2) Paper bags 5M2: To prevent the entry of moisture, a bag of four plies or more shall be made waterproof by the use of either a water-resistant ply as one of the two outermost plies or a water-resistant barrier made of a suitable protective material between the two outermost plies. A 5M2 bag of three plies shall be made waterproof by the use of a water-resistant ply as the outermost ply. When there is danger of the lading reacting with moisture, or when it is packed damp, a water-resistant ply or barrier shall be placed next to the substance. Seams and closures must be waterproof.

(3) Maximum net mass: 50 kilograms (110.2 pounds).

§ 178.522 Standards for composite packagings with inner plastic receptacles.

(a) The following are the identification codes for composite packagings with inner plastic receptacles:

(1) 6HA1 for a plastic receptacle within a protective steel drum;

(2) 6HA2 for a plastic receptacle within a protective steel crate or box;

(3) 6HB1 for a plastic receptacle within a protective aluminum drum;

(4) 6HB2 for a plastic receptacle within a protective aluminum crate or box;

(5) 6HC for a plastic receptacle within a protective wooden box;

(6) 6HD1 for a plastic receptacle within a protective plywood drum;

(7) 6HD2 for a plastic receptacle within a protective plywood box;

(8) 6HG1 for a plastic receptacle within a protective fiber drum;

(9) 6HG2 for a plastic receptacle within a protective fiberboard box; and

(10) 6HH for a plastic receptacle within a protective plastic drum.

(b) Construction requirements for composite packagings with inner receptacles of plastic are as follows:

(1) Inner receptacles shall be constructed under the applicable construction requirements prescribed in § 178.509(b) (1) through (7).

(2) The inner plastic receptacle must fit snugly inside the outer packaging which must be free of any projections which may abrade the plastic material.

(3) Outer packagings shall be constructed as follows:

(i) 6HA1 or 6HB1: Protective packaging must conform to the requirements for steel drums in § 178.504(b), or aluminum drums in § 178.505(b).

(ii) 6HA2 or 6HB2: Protective packagings with steel or aluminum crate must conform to the requirements for steel or aluminum boxes found in § 178.512(b).

(iii) 6HC: Protective packaging must conform to the requirements for wooden boxes in § 178.513(b).

(iv) 6HD1: Protective packaging must conform to the requirements for plywood drums, in § 178.507(b).

(v) 6HD2: Protective packaging must conform to the requirements of plywood boxes, in § 178.514(b).

(vi) 6HG1: Protective packaging must conform to the requirements for fiber drums, in § 178.508(b).

(vii) 6HG2: Protective packaging must conform to the requirements for fiberboard boxes, in § 178.516(b).

(viii) 6HH: Protective packaging must conform to the requirements for plastic drums, § 178.509(b).

(4) Maximum capacity of inner receptacles is as follows: 6HA1, 6HB1, 6HD1, 6HG1, 6HH—250 liters (66.0 gallons); 6HA2, 6HB2, 6HC, 6HD2, 6HG2—60 liters (15.9 gallons).

(5) Maximum net mass is as follows: 6HA1, 6HB1, 6HD1, 6HG1, 6HH—400 kg (881.8 pounds); 6HB2, 6HC, 6HD2, 6HG2—75 kg (165.4 pounds).

§ 178.523 Standards for composite packagings with inner glass, porcelain, or stoneware receptacles.

(a) The following are identification codes for composite packagings with inner receptacles of glass, porcelain, or stoneware:

(1) 6PA1 for glass, porcelain or stoneware receptacles within a protective steel drum;

(2) 6PA2 for glass, porcelain or stoneware receptacles within a protective steel crate or box;

(3) 6PB1 for glass, porcelain or stoneware receptacles within a protective aluminum drum;

(4) 6PB2 for glass, porcelain, or stoneware receptacles within a protective aluminum crate or box;

(5) 6PC for glass, porcelain, or stoneware receptacles within a protective wooden box;

(6) 6PD1 for glass, porcelain or stoneware receptacles within a protective plywood drum;

(7) 6PD2 for glass, porcelain, or stoneware receptacles within a protective wickerwork hamper;

(8) 6PG1 for glass, porcelain or stoneware receptacles within a protective fiber drum;

(9) 6PG2 for glass, porcelain, or stoneware receptacles within a protective fiberboard box;

(10) 6PH1 for glass, porcelain or stoneware receptacles within a protective expanded plastic packaging; and

(11) 6PH2 for glass, porcelain, or stoneware receptacles within a protective solid plastic packaging.

(b) Construction requirements for composite packagings with inner receptacles of glass, porcelain, or stoneware are as follows:

(1) Inner receptacles must conform to the following requirements:

(i) Receptacles must be of suitable form (cylindrical or pear-shaped), be made of good quality materials free from any defect that could impair their strength, and be firmly secured in the outer packaging.

(ii) Any part of a closure likely to come into contact with the contents of the receptacle must be resistant to those contents. Closures shall be fitted so as to be leakproof and secured to prevent any loosening during transportation. Vented closures must conform to § 173.24(f) of this subchapter.

(2) Protective packagings must conform to the following requirements:

(i) For receptacles with protective steel drum 6PA1, the drum must comply with § 178.504(b). However, the removable lid required for this type of packaging may be in the form of a cap.

(ii) For receptacles with protective packaging of steel crate or steel box 6PA2, the protective packaging must conform to the following:

(A) Section 178.512(b);

(B) In the case of cylindrical receptacles, the protective packaging shall, when upright, rise above the receptacle and its closure; and

(C) If the protective crate surrounds a pear-shaped receptacle and is of matching shape, the protective packaging shall be fitted with a protective cover (cap).

(iii) For receptacles with protective aluminum drum 6PB1, the requirements of § 178.505(b) apply to the protective packaging.

(iv) For receptacles with protective aluminum box or crate 6PB2, the requirements of § 178.512(b) apply to the protective packaging.

(v) For receptacles with protective wooden box 6PC, the requirements of § 178.513(b) apply to the protective packaging.

(vi) For receptacles with protective plywood drum 6PD1, the requirements of § 178.507(b) apply to the protective packaging.

(vii) For receptacles with protective wickerwork hamper 6PD2, the wickerwork hamper shall be properly made with material of good quality. The hamper shall be fitted with a protective cover (cap) so as to prevent damage to the receptacle.

(viii) For receptacles with protective fiber drum 6PG1, the drum must conform to the requirements of § 178.508(b).

(ix) For receptacles with protective fiberboard box 6PG2, the requirements of § 178.516(b) apply to the protective packaging.

(x) For receptacles with protective solid plastic or expanded plastic packaging 6PH1 or 6PH2, the requirements of § 178.517(b) apply to the protective packaging. Solid protective plastic packaging shall be manufactured from high-density polyethylene or from some other comparable plastic material. The removable lid required for this type of packaging may be a cap.

(3) Quantity limitations are as follows:

(i) Maximum net capacity for packagings for liquids: 60 liters (15.9 gallons).

(ii) Maximum net mass for packagings for solids: 75 kilograms (165.4 pounds).

148. A new Subpart M would be added to read as follows:

Subpart M—Testing of Non-bulk Packagings and Packages

Sec.

178.600 Purpose and scope.
178.601 General requirements.
178.602 Preparation of packagings and packages for testing.
178.603 Drop test.
178.604 Leakproofness test.
178.605 Hydrostatic pressure test.
178.606 Stacking test.
178.607 Cooperage test for bung-type wooden barrels.
178.608 Chemical compatibility test for plastic receptacles.

Subpart M—Testing of Non-Bulk Packagings and Packages

§ 178.600 Purpose and scope.

This subpart prescribes certain testing requirements for performance-oriented

packagings identified in Subpart L of this part.

§ 178.601 General requirements.

(a) The test procedures prescribed in this subpart are intended to ensure that packages containing hazardous materials can withstand normal conditions of transportation and are considered minimum requirements. Each packaging shall be so manufactured and assembled as to be capable of successfully passing the prescribed tests and of conforming to the requirements of § 173.24 of this subchapter at all times while in transportation.

(b) It is the responsibility of the packaging manufacturer and the shipper, to the extent that assembly functions including final closure are performed by the latter, to assure that each package is capable of passing the prescribed tests.

(c) The packaging manufacturer shall achieve successful test results for each new or different packaging at the start of production of that packaging and at intervals established by the manufacturer of sufficient frequency to ensure that all packagings are capable of passing the prescribed tests. With the exception of the chemical compatibility test for plastic receptacles (§178.608 of this subchapter) production tests must be conducted at least once in each 12 month period. The chemical compatibility test must be conducted only at the start of production. For the purpose of this subpart, a different packaging is one that differs from a previously produced packaging in structural design, size, material of construction, wall thickness or manner of construction but does not include —

(1) A packaging which differs only in reduced design height (The cross-sectional shape and area must remain the same.);

(2) A packaging which differs only in surface treatment;

(3) A combination packaging which differs only in that the outer packaging has been successfully tested with different inner packagings (A variety of such different inner packagings may be assembled in this outer packaging without further testing); or

(4) A plastic packaging which differs only with regard to additives which conform to § 178.509(b)(3) or § 178.517(b) (4) or (5).

(d) The manufacturer shall conduct the tests prescribed in this subpart using random samples of production packagings, in the numbers specified in the appropriate test section. In addition, the leakproofness test shall be performed on every new packaging by the manufacturer or reconditioned packaging by the shipper or reconditioner, to which it applies.

(e) The Director, OHMT, may approve the selective testing of packagings that differ only in minor respects from a tested type, including packagings containing a lesser number or smaller sizes of inner packagings or with inner packagings of lower net mass; and packings such as drums, bags, and boxes which are produced with small reductions in external dimension.

(f) Notwithstanding the retest intervals specified in paragraph (c) of this section, the Director, OHMT, may at any time require proof, through testing in accordance with this subpart, that packagings meet the requirements of this subpart. As required by the Director, OHMT, the manufacturer shall either—

(1) Conduct performance tests in accordance with this subpart; or

(2) Supply packagings, in quantities sufficient to conduct tests in accordance with this subpart, to the Director, OHMT, or a designated representative.

(g) If an inner treatment or coating of a packaging is required for safety reasons, the manufacturer shall design the packaging so that the treatment or coating retains its protective properties even after withstanding the tests prescribed by this subpart.

(h) The manufacturer shall keep records of test results for at least one year and make them available for inspection by a representative of the Department upon request.

§ 178.602 Preparation of packagings and packages for testing.

(a) Tests shall be carried out on packagings and packages as prepared for transportation, including inner receptacles in the case of combination packagings.

(b) For the drop and stacking test, inner and single-unit receptacles shall be filled to not less than 95 percent of their capacity in the case of solids and not less than 98 percent in the case of liquids. The materials to be transported in the packagings may be replaced by non-hazardous materials, except for chemical compatibility testing or where this would invalidate the results of the tests.

(c) If the materials to be transported are replaced for test purposes by non-hazardous materials, the materials used must be of the same or higher specific gravity as the materials to be carried and their other physical properties (grain, size, viscosity) which might influence the results of the required tests must correspond as closely as possible to those of the hazardous materials to be transported.

(d) Paper or fiberboard packagings shall be conditioned for at least 24 hours in an atmosphere maintained—

(1) At 50 percent ±2 percent relative humidity, and at a temperature of 23 °C±2 °C (73 °F±4 °F); or

(2) At 65 percent ±2 percent relative humidity, and at a temperature of 20 °C±2 °C (68 °F±4 °F), or 27 °C±2 °C (80 °F±4 °F); or

(3) For testing at periodic intervals only (i.e., other than initial design qualification testing), at ambient conditions.

(e) Each packaging shall be closed in preparation for testing in the same manner as if prepared for actual shipment. All closures shall be installed using proper techniques and torques.

(f) Bung-type barrels made of natural wood shall be left filled with water for at least 24 hours before the tests.

(g) Except as provided in § 173.24(e)(3)(iii) of this subchapter, the chemical compatibility test provided in § 178.608 shall be performed on test samples used for the drop, stacking, hydrostatic pressure and leakproofness tests, before the conduct of the latter tests, at the start of production of each new or different packaging where plastic comes in contact with liquid hazardous material.

§ 178.603 Drop Test.

(a) The number of drops required and the packages' orientation are as follows:

Packaging	No. of test	Drop orientation samples
Steel drums, Aluminum drums, Metal drums (other than steel or aluminum), Steel jerricans, Plywood drums, Wooden barrels, Fibre drums, Plastics drums and jerricans, Composite packagings which are in the shape of a drum.	Six (three for each drop)	First drop (using three samples): The package must strike the target diagonally on the chime or, if the packaging has no chime, on each drop) a circumferential seam or an edge. Second drop (using the other three samples): The package must strike the target on the weakest part not tested by the first drop, for example a closure or, for some cylindrical drums, the welded longitudinal seam of the drum body.
Boxes of natural wood, Plywood boxes, Reconstituted wood boxes, Fiberboard boxes, Plastic boxes, Steel or aluminum boxes, Composite packagings which are in the shape of a box.	Five (one for each drop)	First drop: Flat on the bottom (using the first sample). Second drop: Flat on the top (using the second sample). Third drop: Flat on the long side (using the third sample). Fourth drop: Flat on the short side (using the fourth sample). Fifth drop: On a corner (using the fifth sample).

Packaging	No. of test	Drop orientation samples
Bags—single-ply with a side seam	Three—(three drops per bag)	First drop: Flat on a wide face (using all three samples). Second drop: Flat on a narrow face (using all three samples). Third drop: On an end of the bag (using all three samples).
Bag—single-ply without a side seam, or multi-ply	Three (two drops per bag)	First drop: Flat on a wideface (using all three samples). Second drop: On an end of the bag (using all three samples).

(b) Special preparation of test samples for the drop test. Testing of plastic drums, jerricans, and boxes, composite packagings with inner plastic receptacles, and of combination packagings with inner plastic receptacles, other than expanded plastic boxes and bags, shall be carried out when the temperature of the test sample and its contents has been reduced to −18 °C (0 °F) or lower. Test liquids shall be kept in the liquid state, if necessary, by the addition of anti-freeze.

(c) Target. The target must be a rigid, non-resilient, flat and horizontal surface.

(d) Drop height. Drop heights, measured as the vertical distance from the target to the lowest point on the package, are determined as follows:

(1) For solids and liquids, if the test is performed with the solid or liquid to be transported or with a non-hazardous material having essentially the same physical characteristic, the drop height is determined according to Packing Group, as follows:

(i) Packing Group I: 1.8 meters (5.91 feet).

(ii) Packing Group II: 1.2 meters (3.94 feet).

(iii) Packing Group III: 0.8 meters (2.62 feet).

(2) For liquids, if the test is performed with water—

(i) Where the materials to be carried have a specific gravity not exceeding 1.2, drop height is determined according to Packing Group, as follows:

(A) Packing Group I: 1.8 meters (5.91 feet).

(B) Packing Group II: 1.2 meters (3.94 feet).

(C) Packing Group III: 0.8 meters (2.62 feet).

(ii) Where the materials to be transported have a specific gravity exceeding 1.2, the drop height shall be calculated on the basis of the specific gravity (SG) of the material to be carried, rounded up to the first decimal, as follows:

(A) Packing Group I: SG X 1.5 meters (4.92 feet).

(B) Packing Group II: SG X 1.0 meter (3.28 feet).

(C) Packing Group III: SG X 0.67 meters (2.25 feet).

(e) Criteria for passing the test. A package is considered to successfully pass the drop tests if for each sample tested —

(1) For receptacles containing liquid, each receptacle does not leak when equilibrium has been reached between the internal and external pressures;

(2) For removable head drums for solids, the entire contents are retained by an inner packaging (e.g., a plastic bag) even if the closure on the top head of the drum is no longer sift-proof;

(3) For a bag, neither the outermost ply nor an outer packaging exhibits any damage likely to adversely affect safety during transport;

(4) For a composite or combination packaging, there is no damage to the outer packaging likely to adversely affect safety during transport, and there is no leakage of the filling substance from the inner packaging;

(5) For a drum, jerrican or bag, any discharge from a closure is slight and ceases immediately after impact with no further leakage; and

(6) For packagings for explosives, no rupture of the packaging occurs.

§ 178.604 Leakproofness test.

(a) *General.* The leakproofness test shall be performed with compressed air or other suitable gases on all packagings intended to contain liquids; however, this test is not required for inner packagings of combination packagings.

(b) *Number of packagings to be tested*—(1) *Production testing.* All packagings subject to the provisions of this section shall be tested and must pass the leakproofness test:

(i) Before they are first used in transportation; and

(ii) Prior to reuse, when authorized for reuse by § 173.28 of this subchapter.

(2) *Design qualification testing.* Three samples of each different packaging shall be tested and must pass the leakproofness test.

(c) *Special preparation.* (1) For design qualification testing, packagings must be tested with closures in place. For production testing, packagings need not have their closures in place.

(2) For testing with closures in place, vented closures shall either be replaced by similar non-vented closures or the vent shall be sealed.

(d) *Test method.* The packaging shall be restrained under water while an internal air pressure is applied; the method of restraint must not affect the results of the test. The test must be conducted for a period of time sufficient to pressurize the interior of the packaging to the specified air pressure and to determine if there is leakage of air from the packaging. Other methods, at least equally effective, may be used, if approved by the Director, OHMT.

(e) *Pressure applied.* An internal air pressure (gauge) must be applied to the packaging as indicated for the following packing groups:

(1) Packing Group I: Not less than 30 kilopascals (4.4 psi).

(2) Packing Group II: Not less than 20 kilopascals (2.9 psi).

(3) Packing Group III: Not less than 20 kilopascals (2.9 psi).

(f) *Criteria for passing the test.* A packaging passes the test if there is no leakage of air from the packaging.

§ 178.605 Hydrostatic pressure test.

(a) *Packagings to be tested.* The hydrostatic pressure test shall be performed on samples of all metal, plastic, and composite packagings intended to contain liquids. This test is also required for inner packagings of combination packagings intended for transportation by aircraft.

(b) *Number of test samples.* Three test samples are required for each different packaging.

(c) *Special preparation of receptacles for testings.* Vented closures shall either be replaced by similar non-vented closures or the vent shall be sealed.

(d) *Test method and pressure to be applied.* Metal packagings and composite packagings other than plastic (e.g., glass, porcelain or stoneware), including their closures, shall be subjected to the test pressure for 5 minutes. Plastic packagings and composite packagings (plastic material), including their closures, shall be subjected to the test pressure for 30 minutes. This pressure is the one to be marked as required in § 178.503(a)(5). The receptacles shall be supported in a manner that does not invalidate the test. The test pressure shall be applied continuously and evenly and it shall be kept constant throughout the test period. The hydraulic pressure (gauge) applied, taken at the top of the receptacle, and determined by any one of the following methods shall be:

(1) Not less than the total gauge pressure measured in the packaging (i.e., the vapor pressure of the filling material

and the partial pressure of the air or other inert gas minus 100 kilopascals (14.5 psi) at 55 °C (131 °F) and multiplied by a safety factor of 1.5. This total gauge pressure shall be determined on the basis of a maximum degree of filling in accordance with § 173.24a(b)(3) of this subchapter and a filling temperature of 15 °C (59 °F);

(2) Not less than 1.75 times the vapor pressure at 50 °C (122 °F) of the material to be transported minus 100 kilopascals (14.5 psi) but with a minimum test pressure of 100 kilopascals (14.5 psi); or

(3) Not less than 1.5 times the vapor pressure at 55 °C (131 °F) of the material to be transported minus 100 kilopascals (14.5 psi), but with a minimum test pressure of 100 kilopascals (14.5 psi).

Packagings intended to contain hazardous materials of Packing Group I shall be tested to a minimum test pressure of 250 kilopascals (36.3 psi).

(e) *Pressure test requirements for air transport.* Additional pressure test requirements for air transport, contained in § 173.27(c) of this subchapter, may exceed the pressure test required by paragraph (d) of this section.

(f) *Criteria for passing the test.* A package passes the hydrostatic test if, for each test sample, there is no leakage of liquid from the package.

§ 178.606 Stacking test.

(a) *General.* All packages other than bags shall be subjected to a stacking test.

(b) *Number of test samples.* Three test samples are required for each different packaging.

(c) *Test method.* The test sample shall be subjected to a force applied to the top surface of the test sample equivalent to the total weight of identical packages which might be stacked on it during transport. The minimum height of the stack, including the test sample, must be 3.0 meters (9.84 ft.). The duration of the test must be 24 hours, except that plastic drums, jerricans, and composite packaging 6HH, intended for liquids, shall be subjected to the stacking test for a period of 28 days at a temperature of not less than 40 °C (104 °F). Alternative test methods which yield equivalent results may be used if approved by the Director, OHMT.

(d) *Criteria for passing the test.* No test sample may leak. In composite packagings or combination packagings, there must be no leakage of the filling substance from the inner receptacle, or inner packaging. No test sample may show any deterioration which could adversely affect transport safety or any distortion likely to reduce its strength or cause instability in stacks of packages. Stacking stability is considered sufficient when, after the stacking test, and, in the case of plastic receptacles after cooling to ambient temperature, two receptacles of the same type filled with water placed on each test sample maintain their positions for one hour.

§ 178.607 Cooperage test for bung-type wooden barrels.

(a) *Number of samples.* One barrel is required for each different packaging.

(b) *Method of testing.* Remove all hoops above the bilge of an empty barrel at least two days old.

(c) *Criteria for passing the test.* A packaging passes the cooperage test only if the diameter of the cross-section of the upper part of the barrel does not increase by more than 10 percent.

§ 178.608 Chemical compatibility test for plastic receptacles.

(a) This chemical compatibility test shall be performed on samples of all packagings where plastic comes in contact with liquid hazardous materials.

(b) Test samples required for conduct of the tests specified in §§ 178.603, 178.604, 178.605 and 178.606 must withstand without failure the procedure (excluding item 6) specified in Appendix B of Part 173 of this subchapter, entitled "Procedure for Testing Chemical Compatibility and Rate of Permeation in Polyethylene Packagings and Receptacles.

(c) The chemical compatibility test shall be performed using the specific hazardous material for which the packaging is intended;

(d) In addition to the test requirements of this section, all hazardous materials ladings packaged in plastic packagings and receptacles must conform to the compatibility requirements of § 173.24 of this subchapter.

PART 179—SPECIFICATIONS FOR TANK CARS

149. The authority citation for Part 179 would continue to read as follows:

Authority: 49 U.S.C. 1803, 1804, 1805, 1806, 1808; 49 CFR Part 1, unless otherwise noted.

150. Section 179.14 would be revised to read as follows:

§ 179.14 Coupler vertical restraint system.

(a) *Performance standard.* Each tank car shall be equipped with couplers capable of sustaining, without disengagement or material failure, vertical loads of at least 200,000 pounds (90,718.5 kg) applied in upward and downward directions in combination with buff loads of 2,000 pounds (907.2 kg), when coupled to cars equipped with couplers that do have this vertical restraint capability, and cars equipped with couplers, that do not have this vertical restraint capability.

(b) *Test verification and approval.* Except as provided in paragraph (d) of this section, compliance with the requirements of paragraph (a) of this section shall be achieved by verification testing of the coupler vertical restraint system in accordance with paragraph (c) of this section, and approval of the Federal Railroad Administrator.

(c) *Coupler vertical restraint tests.* A coupler vertical restraint system shall be tested under the following conditions:

(1) The test coupler shall be tested with a mating coupler (or simulated coupler) having only frictional vertical force resistance at the mating interface; or a mating coupler (or simulated coupler) having the capabilities described in paragraph (a) of this section.

(2) The testing apparatus shall simulate the vertical coupler performance at the mating interface and may not interfere with coupler failure or otherwise inhibit failure due to force applications and reactions.

(3) The test shall be conducted as follows:

(i) A minimum of 200,000 pounds (90,718.5 kg) vertical downward load shall be applied continuously for at least five minutes to the test coupler head simultaneously with the application of a nominal 2,000-pound (907.2 kg) buff load;

(ii) The procedures prescribed in paragraph (c)(3)(i) of this section shall be repeated with a minimum vertical upward load of 200,000 pounds (90,718.5 kg); and

(iii) A minimum of three consecutive successful tests shall be performed for each load combination prescribed in paragraphs (c)(3) (i) and (ii) of this section. A test is successful when a vertical disengagement or material failure does not occur during any of the prescribed load combinations.

(d) *Listing of approved couplers.* The following classes of couplers have been approved by the Federal Railroad Administrator and need not be verified by the testing requirements of paragraph (c) of this section:

(1) E top bottom shelf couplers designated by the Association of American Railroads' Catalog Nos. SE60CHT, SE60CHTE, SE67BHT SE67BHTE, SE68BHT or SE68BHTE; and

(2) F top shelf couplers designated by the Association of American Railroads' Catalog Nos. SF70CHT, SF70CHTE, SF73AHT, SF73AHTE, SF79CHT or SF79CHTE.

§ 179.101–1 [Amended]

151. In § 179.101–1, the table of individual specification requirements would be amended as follows:

a. The column for DOT Specification 112A400F is deleted.

b. The "Insulation" requirement entry for 112A200W, 112A340W, 112A400W, 112A500W, 114A340W, and 114A400W is changed from "[4] None" to "[4, 13] Optional".

c. Footnote 13 is added to read: "[13] Tank cars equipped with insulation per § 179.100–4 of this subchapter may be stenciled "EQUIPPED WITH INSULATION PER 49 CFR 179.100–4".

d. The DOT specification entry "112A400W [12]" is revised to read "112A400W [11, 12]".

§ 179.102 [Amended]

152. In § 179.102, the following changes would be made:

a. §§ 179.102–3, 179.102–5, 179.102–6, 179.102–7, 179.102–8, 179.102–9, 179–102–10, 179.102–11, 179.102–12, 179.102–13, 179.102–14, 179.102–16 and 179.102–20 are removed.

b. In § 179.102–1, paragraphs (a)(2) through (a)(6) are removed.

c. In § 179.102–2, paragraphs (a) (1), (2), and (3) are removed and paragraph (a)(4) is redesignated as (a)(1).

d. In § 179.102–4, paragraphs (a) and (l) are removed and reserved.

e. In § 179.102–17, in paragraph (a), "DOT–105A600W" is changed to "DOT–105J600W" and paragraph (m) is removed.

§ 179.105 [Amended]

153. The title to § 179.105 would be revised to read as follows:

§ 179.105 Special requirements for Specification 105S, 105J, 111J, 112S, 112J, 112T, 114S, 114J and 114T tank cars.

154. Section 179.105–1 would be revised to read as follows:

§ 179.105–1 General.

(a) In addition to the requirements of this section, each Specification 105S, 105J, 111J, 111J, 112S, 112J, 112T, 114S, 114J and 114T tank car must meet the applicable requirements of § 179.100, 179.101, 179.103, and 179.104.

(b) Notwithstanding the provisions of §§ 179.3, 179.4 and 179.6, AAR approval is not required for changes in or additions to tank cars necessary to comply with this section.

(c) Each Specification 105S, 105J, 111J, 112S, 112J, 112T, 114S, 114J, and 114T tank car shall be equipped with a tank head puncture resistance system that meets the requirements of § 179.105–5.

(d) Each Specification 105J, 111J, 112J, 112T, 114J, and 114T tank car shall be equipped with:

(1) A thermal protection system that meets the requirements of § 179.105–4; and

(2) A safety valve that meets the requirements of § 179.105–7.

§§ 179.105–2 and 179.105–3 [Reserved]

155. Sections 179.105–2 and 179.105–3 would be removed and reserved.

§ 179.105–4 [Amended]

156. In paragraph (a) of § 179.105–4, the phrase "Each specification 112T, 112J, 114T, and 114J tank car" would be changed to read "Each Specification 105J, 111J, 112J, 112T, 114J, and 114T tank car".

§ 179.105–6 [Reserved]

157. Section 179.105–6 would be removed and reserved. 158. In paragraph (a) of § 179.105–7, the phrase "each 112 and 114 tank car" would be changed to read "each Specification 105J, 111J, 112J, 112T, 114J, and 114T tank car" and paragraph (c) would be revised to read as follows:

§ 179.105–7 Safety relief valves.

* * * * *

(c) Notwithstanding the provisions of § 179.100–15, § 179.200–18 or paragraph (a) of this section, the relieving or discharge capacity of the safety relief valve on a tank car tank used to transport a Division 2.3 material may be calculated in accordance with the formula prescribed in Section A8.01 of Appendix A of the AAR Specifications for Tank Cars applicable to compressed gases in insulated tanks if—

(1) The tank is equipped with a thermal protection system in accordance with § 179.105–4;

(2) In all of three consecutive simulation pool fire tests required by paragraph (d) of § 179.105–4, none of the thermocouples on the uninsulated side of the steel plate indicates a plate temperature in excess of 550 °F; and

(3) For tanks used for ethylene oxide, the valve capacity is at least 1100 scfm (31.1 cubic meters per minute) at 85 psig (586.1 kPa).

* * * * *

159. In § 179.105–8, paragraphs (d) and (e) would be added to read as follows:

§ 179.105–8 Stenciling.

* * * * *

(d) Each Specification 105 tank car that is equipped as prescribed in § 179.105–1(c) shall be stenciled with the letter "S" substituted for the letter "A" in the specification marking.

(e) Each Specification 105 tank car that is equipped as prescribed in § 179.105–1(d) shall be stenciled with the letter "J" substituted for the letter "A" in the specification marking.

§§ 179.106 through 179.106–4 [Removed and Reserved]

160. Sections 179.106 through 179.106–4 would be removed.

§§ 179.202 through 179.202–22 [Removed and Reserved]

161. Sections 179.202 through 179.202–22 would be removed and reserved.

§ 179.203 [Amended]

162. In § 179.203, paragraphs (c) and (d) would be removed from § 179.203–1 and paragraph (a)(1) would be removed from § 179.203–2.

§ 179.302 [Removed and Reserved]

163. Section 179.302 would be removed and reserved.

Issued in Washington, DC, on October 29, 1987 under authority delegated in 49 CFR Part 106, Appendix A.

Alan I. Roberts,

Director, Office of Hazardous Materials Transportation.

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Friday
November 6, 1987

Part III

Department of Labor

Occupational Safety and Health Administration

Workplace Drug Abuse Assistance Program Grants; Notice

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

Workplace Drug Abuse Assistance Program Grants

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice of grant program.

SUMMARY: The Occupational Safety and Health Administration is implementing a new national grant program to collect information on efforts to assist employees and to demonstrate effective approaches for employee assistance with drug abuse in the workplace. This notice describes the scope and objectives of the grant program, and provides information about obtaining a grant application. Applications should not be submitted without first obtaining the detailed grant application mentioned later in the notice.

Authority for this program may be found in section 4303 of the Anti-Drug Abuse Act of 1986.

DATE: Application packages must be received by January 8, 1988.

ADDRESSES: Grant applications must be submitted to the OSHA Regional Office for the state in which the applicant is located. A complete listing of Regional Offices can be found in the addendum at the end of the supplementary information section of this notice.

FOR FURTHER INFORMATION CONTACT: James Foster, Director, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, Room N3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210, telephone (202) 523-8148.

SUPPLEMENTARY INFORMATION:

Program Description

The workplace drug abuse assistance program will provide one-year grants for research and demonstration on efforts to assist employees with drug abuse in the workplace. Grant recipients will demonstrate effectiveness through:

1. Identification of programs and approaches which best inform and/or assist employees concerning workplace drug abuse;

2. Descriptions of identified programs which will enable employers, employees and other interested parties to replicate program components; and

3. Provision of materials and documentation needed to implement model programs and model approaches to workplace drug abuse.

Each grant will target a defined group of employees by occupation, industry, union membership, or other clearly identifiable criteria.

Grant activities may include the following:

1. Research to identify existing drug abuse assistance programs and to identify programs or program elements which have been effective in assisting employees.

2. Developing model programs for informing and/or assisting employees with drug abuse in the workplace. These programs should be based upon research conducted by the grant recipient. A model program will consist of documentation which provides step-by-step instructions on implementing such a program and may include training and educational materials. (No more than ten percent (10%) of the total grant funds should be used for developing training and educational materials.) As part of the development of model programs, grant recipients may conduct demonstration programs to test their findings and materials. Demonstration programs are limited in scope to outreach, education of employees and establishing mechanisms for employee assistance activities. Grant funds may not be used to provide counseling and other rehabilitation services.

All grant recipients are required to provide a minimum of twenty-five percent (25%) of the total program budget from non-Federal funds.

This grant program will be administered in compliance with 41 CFR Part 29-70, OMB Circular A-110, and OMB Circulars A-21 or A-122 (whichever is applicable to the recipient organization) as they relate to functions such as the use of funds; the operation of programs; the maintenance of records, books, accounts, and other documents; and financial and program reporting to OSHA.

Eligible Applicants

Any nonprofit organization is eligible to apply for a grant. Applicants will be required to submit a copy of their current tax exemption from the Internal Revenue Service (IRS) or other documentary evidence of their nonprofit status.

Review Procedures and Criteria

Applications for grants solicited in this announcement will be evaluated on a competitive basis by the Assistant Secretary of Labor for Occupational Safety and Health with assistance and advice from the Assistant Secretary of Labor for Policy.

The following factors, which are not ranked in order of importance, will be considered in evaluating grant applications.

1. Program

a. The identification of a clearly defined target group.

b. The responsiveness of the proposed program to the scope of this announcement.

c. Evidence of the applicant's previous experience with programs and/or services for the target group.

d. Evidence of the applicant's ability to begin program activities within four (4) weeks of grant award.

e. The technical and professional expertise and training of present or proposed program staff as presented in resumes, minimum qualifications for hiring, and position descriptions.

f. Evidence of the applicant's prior research projects and/or model progams related to the workplace.

2. Administrative

a. Evidence of the applicant organization's nonprofit status.

b. The managerial expertise of the applicant, as evidenced by the variety and complexity of current and/or recent programs it has administered.

c. The financial management capability of the applicant, as evidenced by a recent report from an independent audit firm or a recent report from another independent organization qualified to render judgment concerning the soundness of the applicant's financial practices. In the absence of such reports, the applicant may provide information which demonstrates that it is capable of meeting the financial management standards set forth in 41 CFR Part 29-70, section 207-2.

3. Budget

a. The reasonableness of the budget in relation to the proposed program activities.

b. Activities for the development of materials and programs total ten percent (10%) or less of the budget.

c. The proposed non-Federal share is at least twenty-five percent (25%) of the total budget.

In addition to the preceding factors, the Assistant Secretary will consider other factors, such as occupational and industrial areas covered and geographic mix of the proposals selected for funding.

Application Procedures

Those organizations meeting the eligibility requirements which are interested in conducting a workplace drug abuse assistance program may request a grant application package

from the OSHA Regional Administrator for the state in which the organization is located. A list of the names, addresses, and geographic areas of responsibility of the Regional Administrators is in the addendum to this notice.

All applications must be received in the applicable OSHA Regional Office no later than 5 p.m. local time, January 8, 1988.

Following review and selection, the Assistant Secretary will notify in writing those organizations selected as potential grant recipients. An applicant whose proposal is not selected will also be notified in writing to that effect. Notice of selection as a potential grant recipient will not constitute approval of the grant application as submitted. Prior to actual grant award, representatives of the potential grant recipient and OSHA will enter into negotiations concerning such items as program components, funding levels, and administrative systems. If negotiations do not result in an acceptable grant within six (6) weeks of initial notification, the Assistant Secretary reserves the right to terminate the negotiation and decline to fund the proposal.

Signed at Washington, DC, this 2nd day of November, 1987.

John A. Pendergrass,

Assistant Secretary of Labor.

Addendum

Region I

Regional Administrator, U.S. Department of Labor—OSHA, 16–18 North Street, 1 Dock Square Building, 4th Floor, Boston, Massachusetts 02109

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Region II

Regional Administrator, U.S. Department of Labor—OSHA, 201 Varick Street, Room 670, New York, New York 10014

New Jersey, New York, Puerto Rico, Virgin Islands

Region III

Regional Administrator, U.S. Department of Labor—OSHA, Gateway Building, Suite 2100, 3535 Market Street, Philadelphia, Pennsylvania 19104

Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

Region IV

Regional Administrator, U.S. Department of Labor—OSHA, 1375 Peachtree Street, NE, Suite 587, Atlanta, Georgia 30367

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

Region V

Regional Administrator, U.S. Department of Labor—OSHA, 230 South Dearborn Street, Room 3244, Chicago, Illinois 60604

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Region VI

Regional Administrator, U.S. Department of Labor—OSHA, 525 Griffin Street, Room 602, Dallas, Texas 75202

Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Region VII

Regional Administrator, U.S. Department of Labor—OSHA, 911 Walnut Street, Room 406, Kansas City, Missouri 64106

Iowa, Kansas, Missouri, Nebraska

Region VIII

Regional Administrator, U.S. Department of Labor—OSHA, Federal Building, Room 1554, 1961 Stout Street, Denver, Colorado 80294

Colorado, Montana, North Dakota, South Dakota, Wyoming

Region IX

Regional Administrator, U.S. Department of Labor—OSHA, 71 Stevenson, Street, 4th Floor, San Francisco, California, 94105

American Samoa, Arizona, California, Guam, Hawaii, Nevada, Trust Territory of the Pacific Islands

Region X

Regional Administrator, U.S. Department of Labor—OSHA, Federal Office Building, Room 6003, 909 First Avenue, Seattle, Washington 98174

Alaska, Idaho, Oregon, Washington

[FR Doc. 876–25670 Filed 11–5–87; 8:45 am]

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Friday
November 6, 1987

Part IV

Department of the Interior

Bureau of Indian Affairs
Office of Hearings and Appeals

25 CFR Part 2
43 CFR Part 4

Department Hearings and Appeals Procedures; Proposed Rules

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 2

Appeals From Administrative Actions

September 22, 1987.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Indian Affairs (BIA) is proposing to revise its rules governing the appeals process which is used for requesting review of actions by BIA officials which adversely affect an appellant. These changes are being made to facilitate and expedite the total appeal process.

DATE: Public comments must be received on or before January 5, 1988.

ADDRESS: Mail or hand deliver comments to: Anne Bolton, Management Analyst, Division of Personnel, Bureau of Indian Affairs, Room 320, Interior South, 1951 Constitution NW., Washington, DC 20245.

FOR FURTHER INFORMATION CONTACT: Anne Bolton, Management Research & Evaluation, Bureau of Indian Affairs, Room 334, S. Interior, Department of the Interior, Washington, DC 20245, telephone number: (202) 343–4689.

SUPPLEMENTARY INFORMATION: This proposed rule is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary for Indian Affairs by 209 DM 8. The policy of the Department is, whenever practical, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments regarding the proposed rule to the location identified in the address section of this preamble.

The proposed revision is published as previously titled, Appeals from Administrative Actions. This revision will eliminate Central Office action on most of the appeals which originate in the field. Appeals will be sent directly to the Interior Board of Indian Appeals from the field.

When the Board of Indian Appeals finds that an issue in an appeal was decided by the Bureau of Indian Affairs in the exercise of discretionary authority, it will not adjudicate the issue, but will dismiss the appeal as to that issue or refer the issue to the Assistant Secretary—Indian Affairs, pursuant to the Board's regulations in 43 CFR 4.330(b)(2) and 4.337(b). The Assistant Secretary—Indian Affairs will also have an opportunity to decide to issue a decision in any appeal, prior to the Board's acquisition of jurisdiction over the appeal.

In addition, these regulations will clarify procedures and stipulate timeframes for Bureau action.

A proposed revision of the regulations governing appeals to the Interior Board of Indian Appeals, 43 CFR 4.310–4.340, immediately follows this proposal.

In accordance with Office of Management and Budget regulations in 5 CFR 1320.3(c), approval of information collections contained in this regulation is not required.

The primary author of this document is Anne Bolton, Management Analyst, Division of Personnel, Bureau of Indian Affairs, Room 320, Interior South, 5951 Constitution Ave. NW., Washington, DC 20245, telephone number (202) 343–4689.

This rule does not constitute a major Federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969. The Department of the Interior has determined that this document is not a major rule and does not require a regulatory analysis under Executive Order 12291. These revised regulations do not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* (1982). These regulations will affect only administrative appeals from decisions by certain BIA officials. They will not have an impact on small entities as defined in the Act.

List of Subjects in 25 CFR Part 2

Administrative practice and procedure.

For the reasons set forth in the preamble, the Bureau of Indian Affairs proposes to revise Title 25, Chapter 1, Subchapter A of the Code of Federal Regulations as follows:

PART 2—APPEALS FROM ADMINISTRATIVE DECISIONS

Sec.

2.1 Information collection requirements.
2.2 Definitions.
2.3 Applicability.
2.4 Officials who may decide appeals.
2.5 Appeal bond.
2.6 Finality of decisions.
2.7 Notice of administrative action.
2.8 Appeal from a decision unreasonably delayed.
2.9 Notice of an appeal.
2.10 Statement of reasons.
2.11 Statement of interested party.
2.12 Service of appeal documents.
2.13 Filing documents.
2.14 Record address.
2.15 Computation of time.
2.16 Extensions of time.
2.17 Summary dismissal.
2.18 Consolidation of appeals.
2.19 Action by Area Directors and Education Programs Officials on appeal.
2.20 Action by the Assistant Secretary—Indian Affairs on appeal.
2.21 Scope of review.

Authority: R.S. 463, 465; 5 U.S.C. 301, 25 U.S.C. 2, 9.

§ 2.1 Information collection requirements.

In accordance with Office of Management and Budget Regulations in 5 CFR 1320.3(c), approval of information collections contained in this regulation is not required.

§ 2.2 Definitions.

"Appeal" means a written request for review of an action by an official of the Bureau of Indian Affairs that is claimed to adversely affect the interested party making the request.

"Appellant" means any interested party who files an appeal under this part.

"Interested party" means any person whose interests could be adversely affected by a decision in the appeal.

"Legal holiday" means a Federal holiday as designated by the President or the Congress of the United States.

"Notice of appeal" means the written document sent to the official designated in this part, indicating that a decision is being appealed.

"Person" includes any Indian or non-Indian individual, corporation, tribe or other organization.

"Statement of reasons" means a written document submitted by the appellant explaining why the decision is being appealed.

§ 2.3 Applicability.

(a) Except as provided in paragraph (b) of this section, this Part applies to all appeals from decisions by officials of the Bureau of Indian Affairs by persons who are or will be adversely affected by such decisions.

(b) This part does not apply if any other regulation or Federal statute provides a different administrative appeal procedure applicable to a specific type of decision.

§ 2.4 Officials who may decide appeals.

The following officials may decide appeals:

(a) An Area Director, if the subject of appeal is a decision by a person under the authority of that Area Director.

(b) An Area Education Programs Administrator, Agency Superintendent for Education, President of a Post-Secondary School, or the Deputy to the Assistant Secretary/Director—Indian

Affairs (Indian Education Programs), if the appeal is from a decision by an Office of Indian Education Programs (OIEP) official under their jurisdiction.

(c) The Assistant Secretary—Indian Affairs pursuant to the provisions of § 2.20 of this part.

(d) The Interior Board of Indian Appeals, pursuant to the provisions of 43 CFR Part 4, Subpart D, if the appeal is from a decision made by an Area Director, or the Deputy to the Assistant Secretary/ Director—Indian Affairs (Indian Education Programs).

§ 2.5 Appeal bond.

(a) If a person believes that he/she may suffer a measurable and substantial financial loss as a direct result of the delay caused by an appeal, that person may request that the official before whom the appeal is pending require the posting of a reasonable bond by the appellant adequate to protect against that financial loss.

(b) A person requesting that a bond be posted bears the burden of proving the likelihood that he/she may suffer a measurable and substantial financial loss as a direct result of the delay caused by the appeal.

(c) In those cases in which the official before whom an appeal is pending determines that a bond is necessary to protect the financial interests of an Indian or Indian tribe, that official may require the posting of a bond on his/her own initiative.

§ 2.6 Finality of decisions.

(a) Decisions of the Assistant Secretary—Indian Affairs are final for the Department and effective immediately unless the Assistant Secretary—Indian Affairs provides otherwise.

(b) No decision, which at the time of its rendition is subject to appeal to a superior authority in the Department, shall be considered final so as to constitute Departmental action subject to judicial review under 5 U.S.C. 704, unless the official to whom the appeal is made rules that public safety, safety of trust resources, or other public exigency requires that the decision be made effective immediately.

§ 2.7 Notice of administrative action.

(a) The official making a decision shall give all interested parties written notice of the decision by personal delivery or mail.

(b) Failure to give written notice shall not affect the validity of the decision, but the time to file a notice of appeal regarding such a decision shall not begin to run until effective notice has been given.

(c) All decisions for which there is a right to appeal shall so state and shall state the time allowed for filing a notice of appeal, and the title and address of the official to whom an appeal may be made.

§ 2.8 Appeal from a decision unreasonably delayed.

(a) A person or persons whose interests are impaired, or whose ability to protect such interests is impeded by the failure of an official to act on a request to the official, can make the official's inaction the subject of appeal, as follows:

(1) Request in writing that the official take the action originally asked of him/her;

(2) Describe the interest affected by the official's inaction, including a description of the loss, impairment or impediment to such interest caused by the official's inaction;

(3) State that, unless the official involved either takes action on the merits of the written request within 10 days of receipt of such request by the official (within 5 days for student appeals pertaining to expulsion or suspension), or establishes a date by which action will be taken, an appeal shall be filed in accordance with this part.

(b) The official receiving a request as specified in paragraph (a) of this section, must either make a decision on the merits of the initial request within 10 days from receipt of the request for a decision (within 5 days for student appeals pertaining to expulsion or suspension), or establish a reasonable later date by which the decision shall be made. If an official establishes a date by which a requested decision shall be made, this date shall be the date by which failure to make a decision shall be appealable under this part. If the official, within the 10-day (or 5-day) period specified in paragraph (a) of this section, neither makes a decision on the merits of the initial request nor establishes a later date by which a decision shall be made, the official's inaction shall be appealable to the next official in the process established in this part.

§ 2.9 Notice of an appeal.

(a) An appellant must file a written notice of appeal in the office of the official whose decision is being appealed. The appellant must also send a copy of the notice of appeal to the official who will decide the appeal and to known interested parties. The notice of appeal must be filed in the office of the official whose decision is being appealed within 30 days of personal delivery or mailing of the notice of administrative action described in § 2.7 (if a student is appealing an expulsion or suspension, the appeal must be filed within 10 days). No extension of time shall be granted for filing a notice of appeal. Notices of appeal not filed in the specified time shall not be considered, and the decision involved shall be considered final for the Department and effective immediately.

(b) The notice of appeal shall:

(1) Include name, address and phone number of appellant.

(2) Be clearly labeled or titled with the words "NOTICE OF APPEAL."

(3) Have on the face of any envelope in which the notice is mailed or delivered, in addition to the address, the clearly visible words "NOTICE OF APPEAL."

(4) Contain a statement of the decision being appealed that is sufficient to permit identification of the decision.

(5) If possible, attach either a copy of the notice of administrative action received under § 2.7, or a copy of the appellant's request for action under § 2.8 when an official has failed to make a decision.

(6) Certify that copies of the notice of appeal have been served on interested parties, as prescribed in § 2.12(a).

§ 2.10 Statement of reasons.

(a) A statement of reasons explains why the appellant believes that the decision being appealed is in error and should be accompanied by or otherwise incorporate all supporting documentation.

(b) The statement of reasons may be filed with the notice of appeal.

(c) If the statement of reasons is not filed with the notice of appeal, the appellant shall file a separate statement of reasons in the office of the official whose decision is being appealed within 30 days after the notice of appeal was filed in that office.

(d) The statement of reasons whether filed with the notice of appeal or filed separately should:

(1) Be clearly labeled "STATEMENT OF REASONS".

(2) Have on the face of any envelope in which the statement of reasons is mailed or delivered, in addition to the address, the clearly visible words "STATEMENT OF REASONS."

§ 2.11 Statement of interested party.

(a) Any interested party wishing to participate in an appeal proceeding should file a written answer responding to the appellant's notice of appeal and statement of reasons. An answer should

describe the party's interest in the appeal, explain how the decision on appeal may impair or otherwise affect that interest or the party's ability to protect that interest, and state the party's position or response in any manner the party deems appropriate.

(b) All answers must be filed within 30 days after receipt of the statement of reasons by the person filing an answer.

(c) An answer and any supporting documents shall be filed in the office of the official before whom the appeal is pending as specified in § 2.13.

(d) An answer should:

(1) Be clearly labelled or titled with the words "STATEMENT OF INTERESTED PARTY,"

(2) Have on the face of any envelope in which the answer is mailed or delivered, in addition to the address, the clearly visible words "STATEMENT OF INTERESTED PARTY," and

(3) Contain a statement of the decision being appealed that is sufficient to permit identification of the decision.

§ 2.12 Service of appeal documents.

(a) All persons filing documents in an appeal must serve copies of those documents on other interested parties known to the person making the filing. A person serving a document either by mail or personal delivery must, at the time of filing the document, also file a written statement certifying service on each interested party, showing the document involved, the name and address of the party served, and the date of service.

(b) If an appeal is filed with the Interior Board of Indian Appeals, a copy of the Notice of Appeal shall also be sent to the Assistant Secretary—Indian Affairs.

(c) If the appellant is an Indian or Indian tribe not represented by counsel, the official with whom the appeal is filed (i.e., official making the decision being appealed) shall, in the manner prescribed in this section, personally or by mail serve a copy of all appeal documents on the official who will decide the appeal and on each interested party known to the official making such service.

(d) Service of any document under this part shall be by personal delivery or by mail to the record address as specified in § 2.14. Service on a tribe shall be to the principal or designated tribal official or to the governing body.

(e) In all cases where a party is represented by an attorney in an appeal, service of any document on the attorney is service on the party represented. Where a party is represented by more than one attorney, service on any one attorney is sufficient. The certificate of service on an attorney shall include the name of the party whom the attorney represents and indicate that service was made on the attorney, representing that party.

(f) When an official deciding an appeal determines that there has not been service of a document affecting a person's interest, the official shall either serve the document on the person or direct the appropriate legal counsel to serve the document on the person and allow the person an opportunity to respond.

§ 2.13 Filing documents.

(a) An appeal document is properly filed with an official of the Bureau of Indian Affairs:

(1) By mail when received in the facility officially designated for receipt of mail addressed to the official, or

(2) By personal delivery during regular business hours to the person designated to receive mail in the immediate office of the official.

(b) Bureau of Indian Affairs offices receiving a misdirected appeal document shall forward the document to the proper office promptly. If a person delivers an appeal document to the wrong office or mails an appeal document to an incorrect address, no extension of time should be allowed because of the time necessary for a Bureau office to redirect the document to the correct address.

(c) Notwithstanding any other provision of this section, an official deciding an appeal shall allow late filing of a misdirected document where the official finds that the misdirection is the fault of the government.

§ 2.14 Record address.

(a) Every interested party who files a document in connection with an appeal shall, when he/she files the document, also indicate his/her address. Thereafter, any change of address shall be promptly reported to the official with whom the previous address was filed. The most current address on file under this subsection shall be deemed the proper address for all purposes under this Part.

(b) The successors in interest of a party shall also promptly inform the official specified in paragraph (a) of this section of their interest in the appeal and their address.

(c) An appellant or interested party failing to file an address or change of address as specified in this section may not object to lack of notice or service attributable to his/her failure to indicate a new address.

§ 2.15 Computation of time.

In computing any period of time prescribed or allowed in this Part, calendar days shall be used. Computation shall not include the day on which a decision being appealed was made, service or notice was received, a document was filed, or other event occurred causing time to begin to run. Computation shall include the last day of the period, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday.

§ 2.16 Extensions of time.

An official to whom an appeal is made may, upon a showing of good cause by a party and with notice to all other parties, extend the period for filing or serving any document; *provided,* however, that no extension will be granted for filing a notice of appeal under § 2.9 of this part or serve by itself to extend any period specified by law or regulation other than in this Part.

§ 2.17 Summary dismissal.

Appeals under this Part may be subject to summary dismissal for the following causes:

(a) If a statement of reasons for the appeal is not filed as required by this part.

(b) If the appeal documents do not state an issue on which a decision can be made on appeal.

(c) If the appellant has been required to post a bond and fails to do so.

§ 2.18 Consolidation of appeals.

Separate proceedings pending before one official under this part and involving common questions of law or fact may be consolidated by the official conducting such proceedings, pursuant to a motion by any party or on the initiative of the official.

§ 2.19 Action by Area Directors and Education Programs Officials on appeal.

(a) Education Programs Officials shall render written decisions within 5 days after receipt of the appeal in which a student is appealing an expulsion or a suspension. Area Directors, Area Education Programs Administrators, Agency Superintendents for Education, Presidents of Post-Secondary Schools and the Deputy to the Assistant Secretary/Director Indian Affairs (Indian Education Programs) shall render written decisions in all other cases appealed to them within 60 days after all time for pleadings (including all extensions granted) has expired, shall include in the decision a statement that the decision may be appealed, identify

the official to whom it may be appealed, and indicate the appeal procedures.

(b) A copy of the decision shall be sent to the appellant and each known interested party by certified or registered mail, return receipt requested. Such receipts shall become a permanent part of the record.

§ 2.20 Action by the Assistant Secretary—Indian Affairs on appeal.

(a) When a decision is appealed to the Interior Board of Indian Appeals, a copy of the notice of appeal shall be sent to the Assistant Secretary—Indian Affairs.

(b) The notice of appeal sent to the Interior Board of Indian Appeals shall certify that a copy has been sent to the Assistant Secretary—Indian Affairs.

(c) In accordance with the provisions of § 4.332(b) of Title 43 of the Code of Federal Regulations, a notice of appeal to the Board of Indian Appeals shall not be effective until 20 days after receipt by the Board, during which time the Assistant Secretary—Indian Affairs shall have authority to decide to issue a decision in the appeal. If the Assistant Secretary—Indian Affairs decides to issue the decision in an appeal, he/she notifies the Board of Indian Appeals, the deciding official, the appellant, and interested parties within 15 days of his/her receipt of a copy of the notice of appeal. Upon receipt of the notification, the Board of Indian Appeals shall transfer the appeal to the Assistant Secretary—Indian Affairs. The decision shall be signed by the Assistant Secretary—Indian Affairs within 60 days after all time for pleadings (including all extensions granted) has expired, and shall be final for the Department and immediately effective unless the Assistant Secretary—Indian Affairs provides otherwise.

(d) A copy of the decision shall be served on the appellant and each known interested party by certified or registered mail, return receipt requested. Such receipts shall become a permanent part of the record.

(e) If the Assistant Secretary—Indian Affairs does not make a decision within 60 days after all time for pleadings (including all extensions granted) has expired, any party may move the Board of Indian Appeals to assume jurisdiction. A motion for Board decision under this section shall invest the Board with jurisdiction as of the date the motion was received by the Board.

(f) When the Board of Indian Appeals, in accordance with 43 CFR 4.337(b), refers an appeal containing one or more discretionary issues to the Assistant Secretary—Indian Affairs for further consideration, the Assistant Secretary—Indian Affairs shall take action on the appeal consistent with the procedures in this section.

§ 2.21 Scope of review.

(a) When a decision has been appealed, any information available to the reviewing official may be used in reaching a decision, whether part of the record or not.

(b) Where the official deciding an appeal takes into account information not in the record, the official shall include in the record a description of the information used, and the source of the information. Interested parties shall be informed of the information and shall be given an opportunity to respond.

Ross O. Swimmer,

Assistant Secretary, Indian Affairs.

[FR Doc. 87-25641 Filed 11-5-87; 8:45 am]

BILLING CODE 4310-02-M

Office of Hearings and Appeals

43 CFR Part 4

Department Hearings and Appeals Procedures

AGENCY: Office of Hearings and Appeals, Interior.

ACTION: Proposed rule.

SUMMARY: This office proposes to amend its regulations governing appeals to the Board of Indian Appeals, in order to ensure compatibility between those regulations and regulations of the Bureau of Indian Affairs. These proposed amendments incorporate substantive amendments to several specific regulations.

DATE: Public comments must be received on or before January 5, 1988.

ADDRESS: Mail or hand deliver comments to: Kathryn Lynn, Administrative Judge, Board of Indian Appeals, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203.

FOR FURTHER INFORMATION CONTACT: Kathryn Lynn (703) 235-3816.

SUPPLEMENTARY INFORMATION: The Bureau of Indian Affairs is proposing revisions to its appeal regulations in 25 CFR Part 2. Because this office's regulations in 43 CFR Part 4, Subpart D, were written in conjunction with the Bureau's regulations in 25 CFR part 2, changes to the Bureau's regulations result in discrepancies with the regulations of this office. The amendments proposed here are needed to ensure compatibility between the two sets of regulations.

In addition, this office had previously identified certain specific regulations in 43 CFR Part 4, Subpart D, that needed amendment. In the process of reviewing its regulations in regard to the amendment of 25 CFR Part 2, other regulations needing amendment were identified. All of these changes are proposed in this document.

The Department of the Interior has determined that this document is not a major rule under E.O. 12291 and certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This determination is based on the fact that the amendments concern Departmental appeals procedures only.

Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3051 *et seq.*

The Department of the Interior has determined that the rule does not constitute a major Federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969, *as amended* (42 U.S.C. 4321-4347).

This rule was written by Kathryn Lynn, Administrative Judge, Office of Hearings and Appeals.

List of Subjects in 43 CFR Part 4

Administrative practice and procedure, Indians.

Dated: September 29, 1987.

Paul T. Baird,

Director.

43 CFR Part 4 is proposed to be amended as follows:

PART 4—[AMENDED]

1. The authority citation for Part 4, continues to read as follows:

Authority: R.S. 2478, as amended, 43 U.S.C. sec. 1201, unless otherwise noted.

2. 43 CFR 4.1(b)(2) is proposed to be revised to read as follows:

§ 4.1 Scope of authority; applicable regulations.

* * * * *

(b) * * *

(2) *Board of Indian Appeals.* The Board decides finally for the Department appeals to the head of the Department pertaining to:

(i) Administrative actions of officials of the Bureau of Indian Affairs, issued under 25 CFR Chapter I, except as limited in 25 CFR Chapter I or § 4.330 of this part, and

(ii) Orders and decisions of administrative law judges in Indian

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probate matters other than those involving estates of the Five Civilized Tribes of Indians and Osage Indian wills.

The Board also decides such other matters pertaining to Indians as are referred to it by the Secretary, the Director of the Office of Hearings and Appeals, or the Assistant Secretary—Indian Affairs for exercise of review authority of the Secretary. Special regulations applicable to proceedings before the Board are contained in Subpart D of this part.

* * * * *

3. 43 CFR Part 4, in Subpart D, §§ 4.310–4.340 are proposed to be revised to read as follows:

General Rules Applicable to Proceedings on Appeal Before the Interior Board of Indian Appeals

§ 4.310 Documents.

(a) *Filing.* The effective date for filing a notice of appeal or other document with the Board during the course of an appeal is the date of mailing or the date of personal delivery, except that a motion for the Board to assume jurisdiction over an appeal under 25 CFR 2.20(e) shall be effective the date it is received by the Board.

(b) *Service.* Notices of appeal and pleadings shall be served on all parties in interest in any proceeding before the Interior Board of Indian Appeals by the party filing the notice or pleading with the Board. Service shall be accomplished upon personal delivery or mailing.

(c) *Computation of time for filing and service.* Except as otherwise provided by law, in computing any period of time prescribed for filing and serving a document, the day upon which the decision or document to be appealed or answered was served or the day of any other event after which a designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday, Federal legal holiday, or other nonbusiness day, in which event the period runs until the end of the next day which is not a Saturday, Sunday, Federal legal holiday, or other nonbusiness day. When the time prescribed or allowed is 7 days or less, intermediate Saturdays, Sundays, Federal legal holidays, and other nonbusiness days shall be excluded in the computation.

(d) *Extensions of time.* (1) The time for filing or serving any document except a notice of appeal may be extended by the Board.

(2) A request to the Board for an extension of time must be filed within the time originally allowed for filing.

(3) For good cause the Board may grant an extension of time on its own initiative.

(e) *Retention of documents.* All documents received in evidence at a hearing or submitted for the record in any proceeding before the Board will be retained with the official record of the proceeding. The Board, in its discretion, may permit the withdrawal of original documents while a case is pending or after a decision becomes final upon conditions as required by the Board.

§ 4.311 Briefs on appeal.

(a) The appellant may file an opening brief within 30 days after receipt of the notice of docketing. Appellant shall serve copies of the opening brief upon all interested parties or counsel and file a certificate with the Board showing service upon the named parties. Opposing parties or counsel shall have 30 days from receipt of appellant's brief to file answer briefs, copies of which shall be served upon the appellant or counsel and all other parties in interest. A certificate showing service of the answer brief upon all parties or counsel shall be attached to the answer filed with the Board.

(b) Appellant may reply to an answering brief within 15 days from its receipt. A certificate showing service of the reply brief upon all parties or counsel shall be attached to the reply filed with the Board. Except by special permission of the Board, no other briefs will be allowed on appeal.

(c) The Bureau of Indian Affairs shall be considered an interested party in any proceeding before the Board. The Board may request that the Bureau submit a brief in any case before the Board.

(d) An original only of each document should be filed with the Board.

(e) The Board may also specify a date on or before which a brief is due. Unless expedited briefing has been granted, such date shall not be less than the appropriate period of time established in this section.

§ 4.312 Decisions.

Decisions of the Board will be made in writing and will set forth findings of fact and conclusions of law. The decision may adopt, modify, reverse or set aside any proposed finding, conclusion or order of an administrative law judge. Distribution of decisions shall be made by the Board to all parties concerned. Unless otherwise stated in the decision, rulings by the Board are final for the Department and shall be given immediate effect.

§ 4.313 Amicus Curiae; intervention; joinder motions.

(a) Any interested person or Indian tribe desiring to intervene or to join other parties or to appear as amicus curiae or to obtain an order in an appeal before the Board shall apply in writing to the Board stating the grounds for the action sought. Permission to intervene, to join parties, to appear, or for other relief, may be granted for purposes and subject to limitations established by the Board. This section shall be liberally construed.

(b) Motions to intervene, to appear as amicus curiae, to join additional parties, or to obtain an order in an appeal pending before the Board shall be served in the same manner as appeal briefs.

§ 4.314 Exhaustion of administrative remedies.

(a) No decision of an administrative law judge or an official of the Bureau of Indian Affairs, which at the time of its rendition is subject to appeal to the Board, shall be considered final so as to constitute agency action subject to judicial review under 5 U.S.C. 704, unless made effective pending decision on appeal by order of the Board.

(b) No further appeal will lie within the Department from a decision of the Board.

(c) The filing of a petition for reconsideration is not required to exhaust administrative remedies.

§ 4.315 Reconsideration.

(a) Reconsideration of a decision of the Board will be granted only in extraordinary circumstances. Any party to the decision may petition for reconsideration. The petition must be filed with the Board within 30 days from the date of the decision and shall contain a detailed statement of the reasons why reconsideration should be granted.

(b) A party may file only one petition for reconsideration.

(c) The filing of a petition shall not stay the effect of any decision or order and shall not affect the finality of any decision or order for purposes of judicial review, unless so ordered by the Board.

§ 4.316 Remands from courts.

Whenever any matter is remanded from any court to the Board for further proceedings, the Board will either remand the matter to an administrative law judge or to the Bureau of Indian Affairs, or to the extent the court's directive and time limitations will permit, the parties shall be allowed an opportunity to submit to the Board a

report recommending procedures for it to follow to comply with the court's order. The Board will enter special orders governing matters on remand.

§ 4.317 Standards of conduct.

(a) *Inquiries about cases.* All inquiries with respect to any matter pending before the Board shall be made to the Chief Administrative Judge of the Board or the administrative judge assigned the matter.

(b) *Disqualification.* An administrative judge may withdraw from a case in accordance with standards found in the recognized canons of judicial ethics if the judge deems such action appropriate. If, prior to a decision of the Board, a party files an affidavit of personal bias or disqualification with substantiating facts, and the administrative judge concerned does not withdraw, the Director of the Office of Hearings and Appeals shall determine the matter of disqualification.

§ 4.318 Scope of review.

An appeal shall be limited to those issues which were before the administrative law judge upon the petition for rehearing, reopening, or regarding tribal purchase of interests, or before the official of the Bureau of Indian Affairs on review. However, except as specifically limited in this part or in Title 25 of the Code of Federal Regulations, the Board shall not be limited in its scope of review and may exercise the inherent authority of the Secretary to correct a manifest injustice or error where appropriate.

Appeals to the Board of Indian Appeals in Probate Matters

§ 4.320 Who may appeal.

A party in interest shall have a right of appeal to the Board of Indian Appeals from an order of an administrative law judge on a petition for rehearing, a petition for reopening, or regarding tribal purchase of interests in a deceased Indian's trust estate.

(a) *Notice of Appeal.* Within 60 days from the date of the decision, an appellant shall file a written notice of appeal signed by appellant, appellant's attorney, or other qualified representative as provided in 43 CFR 1.3, with the Board of Indian Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. A statement of the errors of fact and law upon which the appeal is based shall be included in either the notice of appeal or in any brief filed. The notice of appeal shall include the names and addresses of parties served.

(b) *Service of copies of notice of appeal.* The appellant shall personally deliver or mail the original notice of appeal to the Board of Indian Appeals. A copy shall be served upon the administrative law judge whose decision is appealed as well as all interested parties. The notice of appeal filed with the Board shall certify that service was made as required by this section.

(c) *Action by administrative law judge; record inspection.* The administrative law judge, upon receiving a copy of the notice of appeal, shall notify the Superintendent concerned to return the duplicate record filed under §§ 4.236(b) and 4.241(d), or under § 4.242(f) of this part, to the land titles and records office designated under § 4.236(b) of this part. The duplicate record shall be conformed to the original by the land titles and records office and shall thereafter be available for inspection either at the land titles and records office or at the office of the Superintendent.

§ 4.321 Notice of transmittal of record on appeal.

The original record on appeal shall be forwarded by the land titles and records office to the Board by certified mail. Any objection to the record as constituted shall be filed with the Board within 15 days of receipt of the notice of docketing issued under § 4.332 of this part.

§ 4.322 Docketing.

The appeal shall be docketed by the Board upon receipt of the administrative record from the land titles and records office. All interested parties as shown by the record on appeal shall be notified of the docketing. The docketing notice shall specify the time within which briefs may be filed and shall cite the procedural regulations governing the appeal.

§ 4.323 Disposition of the record.

Subsequent to a decision of the Board, other than remands, the record filed with the Board and all documents added during the appeal proceedings, including the Board's decision, shall be forwarded by the Board to the land titles and records office designated under § 4.236(b) of this part. Upon receipt of the record by the land titles and records office, the duplicate record required by § 4.320(c) of this part shall be conformed to the original and forwarded to the Superintendent concerned.

Appeals to the Board of Indian Appeals From Administrative Actions of Officials of the Bureau of Indian Affairs: Administrative Review in Other Indian Matters Not Relating to Probate Proceedings

§ 4.330 Scope.

(a) The definitions set forth in 25 CFR 2.2 apply also to these special rules. These regulations apply to the practice and procedure for: (1) Appeal to the Board of Indian Appeals from administrative actions or decisions of officials of the Bureau of Indian Affairs issued under regulations in 25 CFR Chapter 1, and (2) administrative review by the Board of Indian Appeals of other matters pertaining to Indians which are referred to it for exercise of review authority of the Secretary or the Assistant Secretary—Indian Affairs.

(b) Except as otherwise permitted by the Secretary or the Assistant Secretary—Indian Affairs by special delegation or request, the Board shall not adjudicate:

(1) Tribal enrollment disputes;

(2) matters decided by the Bureau of Indian Affairs through exercise of its discretionary authority; or

(3) appeals from decisions pertaining to final recommendations or actions by officials of the Minerals Management Service, unless the decision is based on an interpretation of Federal Indian law (decisions not so based which arise from determinations of the Mineral Management Service, are appealable to the Interior Board of Land Appeals in accordance with 43 CFR 4.410).

§ 4.331 Who may appeal.

Any interested party affected by a final administrative action or decision of an official of the Bureau of Indian Affairs issued under regulations in Title 25 of the Code of Federal Regulations may appeal to the Board of Indian Appeals, except—

(a) To the extent that decisions which are subject to appeal to a higher official within the Bureau of Indian Affairs must first be appealed to that official;

(b) Where the decision has been approved in writing by the Secretary or Assistant Secretary—Indian Affairs prior to promulgation; or

(c) Where otherwise provided by law or regulation.

§ 4.332 Appeal to the Board; how taken; mandatory time for filing; preparation assistance; requirement for bond.

(a) A notice of appeal shall be in writing, signed by the appellant or by his attorney of record or other qualified representative as provided by 43 CFR 1.3, and filed with the Board of Indian

Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia, 22203, within 30 days after mailing or personal delivery of the decision. A copy of the notice of appeal shall simultaneously be filed with the Assistant Secretary—Indian Affairs. As required by § 4.333 of this part, the notice of appeal sent to the Board shall certify that a copy has been sent to the Assistant Secretary—Indian Affairs. A notice of appeal not timely filed shall be dismissed for lack of jurisdiction. A notice of appeal shall include:

(1) A full identification of the case;

(2) A statement of the reasons for the appeal and of the relief sought; and

(3) The names and addresses of all additional interested parties, Indian tribes, tribal corporations, or groups having rights or privileges which may be affected by a change in the decision, whether or not they participated as interested parties in the earlier proceedings.

(b) In accordance with 25 CFR 2.20(c), a notice of appeal shall not be effective for 20 days from receipt by the Board, during which time the Assistant Secretary—Indian Affairs may decide to render the decision on appeal. If the Assistant Secretary—Indian Affairs properly notifies the Board that he has decided to review the appeal, any documents concerning the case filed with the Board shall be transmitted to the Assistant Secretary—Indian Affairs.

(c) When the appellant is an Indian or Indian tribe not represented by counsel, the official who issued the decision appealed shall, upon request of the appellant, render such assistance as is appropriate in the preparation of the appeal.

(d) At any time during the pendency of an appeal, an appropriate bond may be required to protect the interest of any Indian, Indian tribe, or other parties involved.

§ 4.333 Service of notice of appeal.

(a) On or before the date of filing of the notice of appeal the appellant shall serve a copy of the notice upon each known interested party, upon the official of the Bureau of Indian Affairs from whose decision the appeal is taken, and upon the Assistant Secretary—Indian Affairs. The notice of appeal filed with the Board shall certify that service was made as required by this section and shall show the names and addresses of all parties served. If the appellant is an Indian or an Indian tribe not represented by counsel, the appellant may request the official of the Bureau whose decision is appealed to assist in service of copies of the notice of appeal and any supporting documents.

(b) The notice of appeal will be considered to have been served upon the date of personal service or mailing.

§ 4.334 Extensions of time.

Requests for extensions of time to file documents may be granted upon a showing of good cause, except for the time fixed for filing a notice of appeal which, as specified in § 4.332 of this part, may not be extended.

§ 4.335 Preparation and transmittal of record by official of the Bureau of Indian Affairs.

(a) Within 20 days after receipt of a notice of appeal, or upon notice from the Board, the official of the Bureau of Indian Affairs whose decision is appealed shall assemble and transmit the record to the Board. The record on appeal shall include, without limitation, copies of transcripts of testimony taken; all original documents, petitions, or applications by which the proceeding was initiated; all supplemental documents which set forth claims of interested parties; and all documents upon which all previous decisions were based.

(b) The administrative record shall include a Table of Contents noting, at a minimum, inclusion of the following:

(1) The decision appealed from;

(2) The notice of appeal or copy thereof; and

(3) Certification that the record contains all information and documents utilized by the deciding official in rendering the decision appealed.

(c) If the deciding official receives notification that the Assistant Secretary—Indian Affairs has decided to review the appeal before the administrative record is transmitted to the Board, the administrative record should be fowarded to the Assistant Secretary—Indian Affairs rather than to the Board.

§ 4.336 Docketing.

An appeal shall be assigned a docket number by the Board 20 days after receipt of the notice of appeal unless the Board has been properly notified that the Assistant Secretary—Indian Affairs has assumed jurisdiction over the appeal. A notice of docketing shall be sent to all interested parties as shown by the record on appeal upon receipt of the administrative record. Any objection to the record as constituted shall be filed with the Board within 15 days of receipt of the notice of docketing. The docketing notice shall specify the time within which briefs shall be filed, cite the procedural regulations governing the appeal and include a copy of the Table of Contents furnished by the deciding official.

§ 4.337 Action by the Board.

(a) The Board may make a final decision, or where the record indicates a need for further inquiry to resolve a genuine issue of material fact, the Board may require a hearing. All hearings shall be conducted by an administrative law judge of the Office of Hearings and Appeals. The Board may, in its discretion, grant oral argument before the Board.

(b) Where the Board finds that one or more issues involved in an appeal or a matter referred to it were decided by the Bureau of Indian Affairs based upon the exercise of discretionary authority committed to the Bureau, and the Board has not otherwise been permitted to adjudicate the issue(s) pursuant to § 4.330(b) of this part, the Board shall dismiss the appeal as to the issue(s) or refer the issue(s) to the Assistant Secretary—Indian Affairs for further consideration.

§ 4.338 Submission by administrative law judge of proposed findings, conclusions and recommended decision.

(a) When an evidentiary hearing pursuant to § 4.337(a) of this part is concluded, the administrative law judge shall recommend findings of fact and conclusions of law, stating the reasons for such recommendations. A copy of the recommended decision shall be sent to each party to the proceeding, the Bureau official involved, and the Board. Simultaneously, the entire record of the proceedings, including the transcript of the hearing before the administrative law judge, shall be forwarded to the Board.

(b) The administrative law judge shall advise the parties at the conclusion of the recommended decision of their right to file exceptions or other comments regarding the recommended decision with the Board in accordance with § 4.339 of this part.

§ 4.339 Exceptions or comments regarding recommended decision by administrative law judge.

Within 30 days after receipt of the recommended decision of the administrative law judge, any party may

file exceptions to or other comments on the decision with the Board.

§ 4.340 Disposition of the record.

Subsequent to a decision by the Board, the record filed with the Board and all documents added during the appeal proceedings, including the Board's decision, shall be forwarded to the official of the Bureau of Indian Affairs whose decision was appealed for proper disposition in accordance with rules and regulations concerning treatment of Federal records.

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federal register

Friday
November 6, 1987

Part V

Department of Transportation

Research and Special Programs Administration

McGil Specialized Carriers, Inc.; Application for Inconsistency Ruling; Public Notice and Invitation to Comment

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. IRA-41]

McGil Specialized Carriers, Inc.; Application for Inconsistency Ruling

AGENCY: Research and Special Programs Administration, DOT.

ACTION: Public notice and invitation to comment.

SUMMARY: McGil Specialized Carriers, Inc. (McGil) has applied for an administrative ruling determining whether a certain provision of the City of San Antonio (Texas) Code, adopting the 1979 Edition of the Uniform Fire Code, is, to a limited extent, inconsistent with the Hazardous Materials Regulations (HMR) issued under the Hazardous Materials Transportation Act (HMTA), and, therefore, preempted under section 112(a) of the HMTA.

DATES: Comments received on or before December 31, 1987, and rebuttal comments received on or before February 19, 1988, will be considered before an administrative ruling is issued by the Director of the Office of Hazardous Materials Transportation. Rebuttal comments may discuss only those issues raised by comments received during the initial comment period and may not discuss new issues.

ADDRESSES: The application and any comment received may be reviewed in the Dockets Branch, Research and Special Programs Administration, Room 8426, Nassif Building, 400 7th Street, SW., Washington, DC 20590. Comments and rebuttal comments on the application may be submitted to the Dockets Branch at the above address, and should include the Docket Number, IRA-41. Three copies are requested. A copy of each comment and rebuttal comment must also be sent to Grant R. Brooker, Esq., Corporate Counsel, McGil Specialized Carriers, Inc., P.O. Box 6426-A, Marietta, Georgia 30065 and to Elizabeth Viesca, Esq., Assistant City Attorney, City of San Antonio, 214 W. Mueva St., San Antonio, TX 78207, and that fact certified to at the time comment is submitted to the Dockets Branch. (The following format is suggested: "I hereby certify that copies of this comment have been sent to Mr. Brooker and Ms. Viesca at the addresses specified in the Federal Register.")

FOR FURTHER INFORMATION CONTACT: Edward H. Bonekemper, III, Office of the Chief Counsel, Research and Special Programs Administration, 400 7th Street, SW., Washington, DC 20590, telephone 202-366-4401.

SUPPLEMENTARY INFORMATION:

1. Background

The HMTA (49 App. U.S.C. 1801 et seq.) at section 112(a) (49 App. U.S.C. 1811(a)) expressly preempts "any requirement, of a State or political subdivision thereof, which is inconsistent with any requirement" of the HMTA or the HMR issued thereunder.

Procedural regulations implementing section 112(a) of the HMTA and providing for the issuance of inconsistency rulings are codified at 49 CFR 107.201 through 107.211. An inconsistency ruling is an advisory administrative opinion as to the relationship between a state or political subdivision requirement and a requirement of the HMTA or HMR. Section 107.209(c) sets forth the following factors which are considered in determining whether a state or local is inconsistent:

(1) Whether compliance with both the state or local requirement and the HMTA or HMR is possible (the "dual compliance" test); and

(2) The extent to which the state or local requirement is an obstacle to the accomplishment and execution of the HMTA and the HMR (the "obstacle" test).

2. The Application for Inconsistency Ruling

On September 2, 1987, McGil Specialized Carriers, Inc., (McGil) filed an application for an administrative ruling seeking a determination that a certain provision of the City of San Antonio (Texas) Code, adopting the 1979 Edition of the Uniform Fire Code, is, to a limited extent, inconsistent with the HMR. McGil contends that Section 11-31 of the San Antonio Code, entitled "Adoption of the Uniform Fire Code," is inconsistent with the HMR to the extent that it adopts Article 77, Section 302(j) of the 1979 Edition of the Uniform Code.

McGil contends that, on June 4, 1987, San Antonio cited one of McGil's drivers for failure to display an "Explosives" sign on a motor vehicle in violation of Article 77, Section 302(j) of the Uniform Fire Code.The vehicle was transporting a shipment of two skids of "CLS Launchers" and two boxes of "Electric Squibb Class C Explosives" from Sunnyvale, California to Titusville, Florida. The vehicle did not have an "Explosives" placard affixed to it, which, McGil alleges, would have been in violation of the HMR.

McGil asserts that Section 77.302(j) of the Uniform Fire Code is unduly vague. Section 77.302(j) provides as follows:

> Vehicles transporting explosives shall display explosives signs on both sides, front and rear conforming to the requirements of the Vehicle Code.

McGil alleges that the term "Vehicle Code" is defined neither in the Uniform Fire Code nor in the local ordinance of the City of San Antonio. McGil further claims that there is no provision which qualifies the language of this section to make it consistent with the HMR.

McGil states that the authors of the Uniform Fire Code are considering a proposal by the Institute of Makers of Explosives to change several provisions relating to explosive materials so that they will consistent with the HMR. McGil states that this proposal would change Section 77.302(j) to read:

> Vehicles transporting explosives shall display all placards, lettering or numbering required by the United States Department of Transportation.

McGil contends that Section 77.302(j) conflicts with the HMR. It asserts that the pertinent sections of the HMR (49 CFR) with which there is an inconsistency are, and characterizes them, as follows:

(1) Section 172.504, Table 1 requires that "Explosives A" and "Explosives B" placards be displayed when materials classified under this Table are transported.

(2) Section 172.504, Table 2 requires that "Dangerous" placards be displayed for Class C explosives.

(3) Section 172.504(c) provides that no placard is required when the gross weight of all hazardous materials covered by Table 2 is less than 1,000 pounds.

(4) Section 172.502(a)(2) prohibits the display of any placard other than one which represents a hazard of the hazardous material being transported.

McGil also seeks comparison with §§ 172.519 et seq., 172.521, 172.522, and 172.523. In summary, McGil contends that if "Explosives" signs required by the San Antonio Code provision and the Uniform Fire Code had been displayed, it would have been in violation of these Federal regulations prohibiting such placarding. It urges a finding of inconsistency under both the "dual compliance" and "obstacle" tests.

3. Public Comment

Comments should be restricted to the issue of whether Section 11-31 of the City of San Antonio Code is inconsistent with the HMR to the extent that it adopts Article 77, section 302(j) of the

1979 Edition of the Uniform Fire Code. Persons intending to comment on the application should examine the complete application in the RSPA Dockets Branch, and the procedures governing the Department's consideration of applications for inconsistency rulings (49 CFR 107.201–107.211).

Alan I. Roberts,

Director, Office of Hazardous Materials Transportation.

Issued in Washington, DC, on October 30, 1987.

[FR Doc. 87–25716 Filed 11–5–87 8:45 am]

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federal register

Friday
November 6, 1987

Part VI

Department of Agriculture

Forest Service

36 CFR Part 223

Sale and Disposal of National Forest Timber; Proposed Rule and Notice

DEPARTMENT OF AGRICULTURE

36 CFR Part 223

Sale and Disposal of National Forest Timber, Periodic Payments, Downpayments and Market-Related Contract Term Additions

AGENCY: Forest Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule addresses requirements of the Federal Timber Contract Payment Modification Act and forest products market conditions. Specifically the rule would implement periodic payment requirements of the Act, clarify implementation of downpayment requirements, and permit additions to a timber sale contract term in response to adverse market conditions. The primary intent of the proposals is to encourage orderly harvest of national forest timber sales.

DATE: Comments must be received by January 5, 1988.

ADDRESS: Send written comments to F. Dale Robertson, Chief (2400), Forest Service, USDA, P.O. Box 2417, Washington, DC 20013.

The public may inspect all written submissions made pursuant to this notice during regular business hours in the Office of the Director, Timber Management Staff, Room 3207, South Agriculture Building, 12th and Independence Avenue SW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: David M. Spores, Timber Management Staff, (202) 447–4051.

SUPPLEMENTARY INFORMATION: Section 2(d) of the Federal Timber Contract Payment Modification Act of October 16, 1984, (98 Stat. 2213; 16 U.S.C. 618(d)) requires that "[i]n any contract for the sale of timber from the national forests, the Secretary of Agriculture shall require a cash downpayment at the time the contract is executed and periodic payments to be made over the remaining period of the contract."

The Department of Agriclture published a proposed rule in the **Federal Register** of January 17, 1985, (50 FR 2591) to implement these payment requirements as well as to implement the bid monitoring provisions of the Act. One hundred and two respondents commented on the proposed rule. Comments were received from timber sale purchasers (72 percent), trade associations (12 percent), private citizens (8 percent), and Forest Service employees (8 percent). About half of the respondents were from the northwest.

About one-third of the respondents opposed the changes in both the downpayment and periodic payments procedures. Many of the respondents were concerned about the implications of making periodic payments. The proposed rule called for annual payments to encourage operation of the sale and to ensure timely payments for the timber, even if the sale is not being operated.

Many respondents stated that annual payments would require purchasers to operate each sale yearly, which would increase production costs and increase environmental damage. Many others commented that periodic payments would add to the complexity of buying and operating sales and disrupt orderly harvest schedules. These respondents felt the annual payments would increase the difficulty of scheduling operations to take advantage of sensitive markets. Other respondents said that yearly payments would eliminate some timber sale bidders, especially small businesses.

Most respondents believe that allowing a purchaser to pool sales to meet the periodic payments requirement is necessary. Many requested a mechanism to defer periodic payments during extremely poor market conditions. Other suggestions included delaying periodic payments while a purchaser logs timber sales in urgent need of harvesting, such as those with insect infestations, and only requiring one periodic payment per sale that would equal 25 percent of the total bid value, and that would be due before the last year of the sale. One person suggested that the annual payment be based on timber volume, rather than total value.

After analyzing the public comments, the Department of Agriculture published a final rule on October 11, 1985 (50 FR 41498), implementing only those provisions of the Federal Timber Contract Payment Modification Act (FTCPMA) that require: (1) Purchasers to make a downpayment for the sale of national forest timber (36 CFR 223.49); and (2) the Secretary of Agriculture to monitor bidding patterns on timber sale contracts and to take action to discourage speculative bidding (36 CFR 223.51). The rule also required a midpoint payment on sales with contract periods exceeding 1-year (36 CFR 223.50).

In publishing this final rule, the Department also stated that a proposed rule implementing periodic payments in timber sale contracts, as required by the Act, would be published in the near future, after reviewing all existing timber sale procedures and analyzing them in conjunction with the various new requirements that have been established to implement the FTCPMA. The Agency has completed that review and is now preparing to eliminate the midpoint payment requirement, 36 CFR 223.50, and to establish, in lieu thereof, procedures for periodic payments as well as new rules for adding to the length of contract terms in response to adverse conditions in the timber market. In addition, the Forest Service is proposing to make clarifying amendments to the downpayment requirement (36 CFR 223.49) in order to minimize possible inconsistencies in the implementation of that requirement.

Proposed Clarifying Amendments to the Downpayment Requirement

1. The definition of "bid ratio" would be revised to clarify that the bid ratio is at least 1.0, and the definition of "average bid ratio" would be the volume weighted average of bid ratios on each national forest (36 CFR 223.49(a)(2)).

2. The amount of the downpayment would be the result of the calculations as now described in 36 CFR 223.49(c), rounded up to the nearest $100.

3. On national forests where either the volume weighted average bid ratio during the past fiscal year or the bid ratio on a significant number of timber sales, has exceeded 1.6, and the volume weighted average bid premium on those sales was at least $25 per thousand board feet or equivalent, the Forest Service would use the advertised value of a sale and the bid premium (36 CFR 223.49(c)(1)) to calculate downpayment for sales.

4. In calculating bid ratios and bid premiums for the downpayment requirement, the Forest Service would not use the portion of the bid premium that is equivalent to the amount of ineffective purchaser credit that existed at the time of advertisement of the sale: however, this reduction would not permit a downpayment to be below 10 percent of the total bid value for each sale (36 CFR 223.49(c)(1)).

Proposed Periodic Payment Requirements

Under the proposal, each timber sale of more than 1 year in duration would require at least one periodic payment.

Unless the Chief of the Forest Service authorizes an alternative periodic payment schedule prior to advertisement of a timber sale, or a periodic payment date is affected by a contract term adjustment or market-related contract term addition, a contract's periodic payment dates would be established as follows:

The Forest Service proposes that a contract's periodic payment dates would normally be set at the end of a calendar quarter following the normal operating season. The normal operating season of a sale is that period of the year when a purchaser could usually expect to operate the sale without encountering adverse weather conditions or other operational impediments. For example, if a contract's normal operating season was between October 1 and April 15, each June 30 within the contract's period would be a periodic payment date. If the last day of the calendar quarter which includes the end of the final normal operating season is after a contract's termination date, the last periodic payment date would be moved forward so that it would be on the termination date. If a contract requires construction of a specified road, and there isn't a significant volume of timber available before the road is constructed, the contract's first periodic payment date would be after the road completion date specified in the contract. Regional Foresters would direct how Forest Service personnel would determine when a significant volume of timber was available. The determination would be made prior to advertisement of a timber sale. The direction would be issued in the Forest Service Directives System. If the road completion date in the contract was changed because of a contract term adjustment, the Forest Service would recalculate the periodic payment schedule, based on the new completion date.

The maximum amount of periodic payment to be collected would be based upon the total contract value. The total contract value of a contract without stumpage rate adjustment is the same as the total bid value, which is the product of the advertised volume of the sale times the rates bid by the purchaser. The total contract value of a sale with stumpage rate adjustment is the product of the advertised volume of the sale and the current contract rates as of the periodic payment date. Because the current contract rates for a stumpage rate adjustment sale may be different as of one periodic payment date from what they were on another periodic payment date, total contract value of a sale, and, therefore, the maximum amount of periodic payment to be collected, may vary during the life of a sale.

Unless the Chief of the Forest Service authorizes an alternative periodic payment schedule prior to advertisement of a timber sale, or a periodic payment is affected by a contract term adjustment or market-related contract term addition, the Forest Service would calculate the amount of each periodic payment based on the amount or normal operating season for each periodic payment period. For instance, if a contract term included 2.5 normal operating seasons, and the first periodic payment period included the equivalent of 0.5 normal operating seasons, the first periodic payment would be 20 percent (0.5/2.5) of the sale's present bid worth. A periodic payment period is the available contract time before the first periodic payment date of a contract, or the available contract time between two consecutive periodic payment dates, whichever is applicable. Contract time is available if it is within the normal operating season and it is long enough for an average purchaser to log a significant volume of timber. Regional Foresters would direct how Forest Service personnel would determine when a period of time was long enough for an average purchaser to log a significant volume of timber.

As of each periodic payment date, the Forest Service would compare the purchaser's deposits for timber charges with the sum of the periodic payments required to have been made by that date. If the purchaser's deposits were less than the sum of the periodic payments, the purchaser would have to make a payment which would equal the difference between the deposits and the sum of the periodic payments. If the purchaser's deposits equaled or exceeded the sum of the scheduled payments, an additional payment would not be needed. The Forest Service would reduce the amount of a periodic payment due if the payment would result in the purchaser's credit balance for timber charges exceeding the current contract value.

The Forest Service proposes that if a purchaser has qualified for a contract term adjustment, upon the purchaser's written request, the Forest Service would recalculate the contract's periodic payment schedule based on the adjusted termination date and the amount of the normal operating season lost for the causes that resulted in the contract term adjustment.

Following are examples of how periodic payments would be calculated under this proposal for three different timber sale situations:

Example 1—Periodic Payments:

Date of timber sale award: August 1, 1987

Termination Date: March 31, 1990

Normal Operating Season: April 15–November 30 (7½ months)

Total contract value: $2,000,000

Situation A:

No stumpage rate adjustment.

No specified road construction.

(i) Periodic payment dates: December 31, 1987, December 31, 1988, and December 31, 1989

(ii) Amount of available time:

Periodic payment period	Number of normal operating seasons	Amount of available time (percent)
8/1/87–12/31/87	[1] 0.6	23
1/1/88–12/31/88	1.0	38
1/1/89–12/31/89	1.0	39
Total	2.6	100

[1] 4 months/7½ months=0.6 normal operating seasons.

(iii) *Periodic Payment Schedule:*

Periodic payment date	Periodic payment value (Percentage of total contract value) (percent)	Projected periodic payment amount (dollars)
12/31/87	23	460,000
12/31/88	38	760,000
12/31/89	39	780,000
Total	100	2,000,000

Situation B

Same conditions as Situation A, except that the purchaser qualified for 1 month of contract term adjustment during 1988.

Adjusted termination date: May 15, 1990.

(i) Periodic payment dates: December 31, 1987, December 31, 1988, and December 31, 1988, and April 15, 1990.

(ii) Amount of allowable time:

Periodic payment period	Number of normal operating seasons	Amount of available time (percent)
8/1/87–12/31/87	[1] 0.6	23
8/1/88–12/31/88	[2] 10.9	35
8/1/89–12/31/89	11.0	38
1/1/90–05/15/90	[3] 0.1	4
Total	2.6	100

[1] 4 month/7½ months=0.6 normal operating seasons.

[2] 6½ month/7½ months=0.9 normal operating seasons.
[3] 1 month/7½ months=0.1 normal operating season.

(iii) *Periodic Payment Schedule*:

Periodic payment date	Periodic Payment value (Percentage of total contract value) (percent)	Projected periodic payment amount (dollars)
12/31/87	23	460,000
12/31/88	35	700,000
12/31/89	38	760,000
05/15/90	4	80,000
Total	100	2,000,000

Situation C:

Stumpage rate adjustment included in contract; specified road construction included in contract:

(i) Road completion date: October 31, 1987

(ii) A significant volume of timber is not available before completion of the road.

(iii) Amount deposited for timber charges as of December 31, 1988: $1,400,000.

(iv) Value of timber cut December 31, 1989: $1,800,000

(v) Amount deposited for timber charges December 31, 1989: $1,900,000

(vi) Estimated current contract value December 31, 1989: $500,000

(vii) Periodic payment dates: December 31, 1987, December 31, 1988, and December 31, 1989

(viii) Amount of available time:

Periodic payment date	Number of normal operating seasons	Amount of available time (percent)
08/1/87–12/31/87	[1] 0.6	[2] 0
01/1/88–12/31/88	1.0	50
01/1/89–12/31/89	1.0	50
Total	2.6	100

[1] 4 months 7½ months=0.6 normal operating seasons.
[2] The time between the road completion date (October 31, 1987) and the end of the normal operating season (November 30, 1987) was determined not to be long enough for an average purchaser to log a significant volume of timber.

(ix) *Periodic Payment Schedule*:

Periodic payment date	Periodic payment value (Percentage of total contract value) (percent)	Projected periodic payment amount (dollars)
12/31/87	0	0
12/31/88	50	1,000,000
12/31/89	50	1,000,000
Total	100	2,000,000

(x) *Total Contract Value*:
December 31, 1987: $2,200,000
December 31, 1988: $2,500,000
December 31, 1989: $2.400,000

(xi) *Change of Projected Periodic Payment Due to Stumpage Rate Adjustment*:
Change=Present Bid Worth/Original Bid Worth
December 31, 1987 Change=$2,200,000/$2,000,000=1.10
December 31, 1988 Change=$2,500,000/$2,000,000=1.25
December 31, 1989 Change=$2,400,000/$2,000,000=1.20

(xii) *Calculation of Periodic Payments:* [1]

Periodic payment date (1)	Projected periodic payment (dollars) (2)	Change (3)	((2)x(3)) Periodic payment (dollars) (4)
12/31/87	0	1.10	0
12/31/88	1,000,000	1.25	1,250,000
12/31/89	1,000,000	1.20	1,200,000
Total	2,000,000	N/A	2,450,000

As of December 31, 1988, the amount deposited for timber charges ($1,400,000) exceeded the sum of the required periodic payments ($1,250,000). The purchaser's December 31, 1988, periodic payment would be zero.

The Forest Service would reduce the December 31, 1989, periodic payment so that its payment would not result in credit balance for timber charges that exceeded the remaining current contract value. As of December 31, 1989, the credit balance for timber charges was $100,000 ($1,900,000–$1,800,000). The remaining current contract value was $500,000. Therefore, the December 31, 1989, periodic payment would be $400,000 ($500,000–$100,000).

[1] Because of stumpage rate adjustment, a total contract value cannot be determined until after the periodic payment date to which it applies. Therefore, the amount of the scheduled payment cannot be calculated until after that date. In real life, this table could not have been completed prior to December 31, 1989.

Proposed Periodic Payment Schedule Offset

The Forest Service believes that a purchaser should have some periodic payment flexibility. If such flexibility were not available, a purchaser would have but three periodic payment options. The first option would be to buy only enough timber to meet the purchaser's immediate needs. This hand-to-mouth option could lead to shutdowns if a purchaser couldn't buy a sale when the timber was needed. This option could also complicate a purchaser's financing arrangements and ability to get required bonding. This latter factor would be particularly hard on small businesses.

The second option would be for a purchaser to move operations annually between timber sales in order to "use-up" each year's periodic payments. This annual movement of operations to each sale in a purchaser's portfolio could increase operating costs, with an attendant decrease in receipts to the Government. The additional equipment movement also increases the risk of environmental damage on the sale areas.

The third option would be for a purchaser to make periodic payments on each contract, but only operate on enough sales to meet the purchaser's timber needs for the year. This could result in cash flow problems for timber sale purchasers.

The Agency believes that the proposed periodic payment schedule offset procedures overcome the problems associated with these three options, and that they comply with the periodic payment requirements of the FTCPMA.

The Forest Service proposes that a purchaser could reduce a periodic payment on a contract by increased payment on one or more other contracts. The purchaser would list the contracts to be affected by offsets on a periodic payment table. The contracts covered in a single table would have to be within a single tributary area as defined in 36 CFR 223.160, but they would not necessarily have to be on the same national forest.

A periodic payment table would consist of two parts. The first part would be a list of the contracts involved and their periodic payment requirements. The second part would be a list of the same contracts with revised periodic payment requirements.

The following conditions would apply to any periodic payment revisions:

(1) All of a contract's periodic payment requirements as listed in the contract must be met as of the contract's last periodic payment date.

(2) A contract's periodic payment requirements may not be revised to the extent that a revised projected periodic payment amount exceeds the contract's current contract value as of the applicable periodic payment date.

(3) The cumulative total of the revised periodic payment requirements for the contracts listed in the table must equal or exceed the cumulative total of the original periodic payment requirements on all periodic payment dates.

(4) Changes to the periodic payment table, including adding or deleting contracts, could be made if the changes were completed prior to the periodic payment dates affected by the changes, and the revised requirements complied with conditions (1), (2), and (3).

The tables would be prepared in the form of a contract modification which when approved would constitute modification of each contract listed. Failure to timely make a revised periodic payment would be a breach of the contract involved.

As an example, here is how a periodic payment table would work. While the revised periodic payments for some sales are later than the starting requirements, the periodic payments on other contracts are accelerated. As shown in Example 2, the revised total cumulative periodic payment requirements on any periodic payments date equal or exceed the starting cumulative periodic payment requirements for that date.

Example 2—Periodic Payment Table:

I—STARTING TABLE

Sale name	Projected periodic payment due ($)							
	12/31/87	03/31/88	12/31/88	03/31/89	12/31/89	12/31/90	12/31/91	Total
One	5,000		10,000		10,000			25,000
Two		40,000		80,000				120,000
Three	20,000		50,000		50,000	50,000	50,000	220,000
Four			30,000		30,000	30,000		90,000
Five	10,000		10,000		10,000			30,000
Six	50,000		100,000		100,000	100,000		350,000
Seven			400,000		400,000	400,000	400,000	1,600,000
Eight		10,000						10,000
Total	85,000	50,000	600,000	80,000	600,000	580,000	450,000	2,445,000
Cumulative: Total	85,000	135,000	735,000	815,000	1,415,000	1,995,000	2,445,000	

II—REVISED TABLE

Name	12/31/87	03/31/88	12/31/88	03/31/89	12/31/89	12/31/90	12/31/91	Total
One	25,000							25,000
Two				120,000				120,000
Three						180,000	40,000	220,000
Four			50,000		40,000			90,000
Five	30,000							30,000
Six	70,000		150,000		130,000			350,000
Seven			400,000		390,000	400,000	410,000	1,600,000
Eight		10,000						10,000
Total	125,000	10,000	600,000	120,000	560,000	580,000	450,000	2,445,000
Cumulative: Total	125,000	135,000	735,000	855,000	1,415,000	1,995,000	2,445,000	

The Starting Table is the list of contracts the purchaser included in the offset program. It shows the annual periodic payment requirements for each contract. The revised table shows how these requirements could be revised under this proposal. For instance, the starting and revised requirements for Sales Three and Six are shown as follows:

Sale three

Date	Starting amount ($)	Revised amount ($)
12/31/87	20,000	0
12/31/88	50,000	0
12/31/89	50,000	0
12/31/90	50,000	180,000
12/31/91	50,000	40,000
Total	220,000	220,000

Sale six

Date	Starting amount ($)	Revised amount ($)
12/31/87	50,000	70,000
12/31/88	100,000	150,000
12/31/89	100,000	130,000
12/31/90	100,000	0
12/31/91		
	350,000	350,000

Proposed Market-Related Contract Term Additions

When there is a drastic reduction in wood product prices after contract award or after the road construction completion date if the contract requires construction of specified roads, the Forest Service also proposes to permit contract term additions to those contracts with periodic payment requirements. Experience has shown the market declines necessary to cause a market-related contract term addition generally coincide with national economic recessions and are indicative of substantial economic disclocation in the wood products industry. Such economic distress broadly affects community stability, the ability of the industry to supply construction lumber and other products for public use, and threatens the maintenance of plant capacity necessary to meet the future needs of the nation for wood products from domestic sources. Accordingly, in order to insure the retention of a viable, established industry capable of supplying the wood fiber needs of the public for housing and other products, the Chief of Forest Service, has determined that the drastic reduction in wood product prices sufficient to trigger a market-related contract term addition would constitute a contract extension in the substantial overriding public interest as set forth in 36 CFR 223.115(b)). The Agency would use producer price indices prepared by the Department of Labor, Bureau of Labor Statistics, to determine whether a drastic reduction in wood product prices has occurred. The following indices would be used:

Forest service region	Bureau of labor statistics producer price index	Commodity code
Northern (1)	Other Softwood, Dressed	081103
Rocky Mountain (2)	Other Softwood, Dressed	081103
Southwestern (3)	Other Softwood, Dressed	081103
Intermountain (4)	Other Softwood, Dressed	081103
Pacific Southwest (5)	Other Softwood, Dressed	081103
Pacific Northwest (6):		
Westside	Douglas Fir, Dressed	081101
Eastside	Other Softwood, Dressed	081103
Southern (8):		
Primarily Hardwood NF's	Hardwood Lumber	0812
Primarily Softwood NF's	Southern Pine, Dressed	081102
Eastern (9):		
Primarily Hardwood NF's	Harwood Lumber	0812
Primarily Softwood NF's	Other Softwood, Dressed	081103
Alaska (10)	Other Softwood, Dressed	081103

Regional Foresters for those Regions with more than one producer price index would determine the index to be used for each national forest.

Each producer price index would be adjusted to a constant dollar base through division by the Bureau of Labor Statistics-All Commodities-Producer Price Index, Commodity Code 00000000.

The Forest Service would conclude that a drastic reduction in wood product prices has occurred where, for 2 or more consecutive calendar quarters after contract award, or road completion date if the contract requires construction of specified roads, the applicable adjusted index is less than 80 percent of the average of such index for the 4 highest of the 8 calendar quarters, immediately prior to the qualifying quarter.

If, within the contract period, or period between the road completion date and the termination date if the contract requires construction of specified roads, there are 2 consecutive qualifying quarters, upon the purchaser's written request, the Forest Service would add 1 year to the contract's term; and for each additional consecutive qualifying quarter the Forest Service would add an additional 3 months to the contract's term.

No more than twice the original contract length or 3 years, whichever is shorter, would be added to any contract's term by market-related contract term addition. A market-related contract term addition that would result in a contract period that exceeded 10 years would not be implemented.

If a contract includes timber that is subject to rapid deterioration, for example, some salvage timber or it is necessary for another reason to require that included timber be removed early in the contract period, the Forest Service designates special cutting areas on the sale area map. In those cases, the contract specifies a early removal date for the applicable timber. In addition, other contract provisions, such as those applying to timber cut during road construction, may specify when the timber must be removed.

If the designated timber is not removed by the contractual removal date, significant damage could occur to national forest resources. The Forest Service proposes, in order to minimize these damages, that a market-related contract term addition not delay any contractual dates for the removal of timber other than the contract termination date.

Where a contract is lengthened as a result of market conditions, the subsequent periodic payment dates of the contract would be delayed 1 year for each 12 months added to the contract's term; however, no periodic payment would be delayed beyond a contract's revised termination date.

Producer price indices from 1947 through 1987 were analyzed to see when the proposed market-related contract term additions could have occurred during that period. The qualifying periods were as follows:

Index	Qualifying periods
Other Softwood, Dressed.	4th Qtr. 1969–4th Qtr. 1970, 3rd Qtr. 1974–4th Qtr. 1975, 2nd Qtr. 1980–1st Qtr. 1981.
Douglas Fir, Dressed.	All 1970, 4th Qtr. 1974–1st Qtr. 1975, 2nd Qtr. 1980–4th Qtr. 1982.
Southern Pine, Dressed.	3rd Qtr. 1974–4th Qtr. 1975, 2nd Qtr. 1980–3rd Qtr. 1981.
Hardwood Lumber.	4th Qtr. 1974–1st Qtr. 1976, 3rd Qtr. 1980–1st Qtr. 1981.

The example that follows illustrates how the market-related contract term adjustment would work and how it would affect required periodic payments:

Example 3—Market-Related Contracts Term Additions:

Contract Award Date: April 2, 1995
Termination Date: March 31, 1999
Normal Operating Season: May 15–November 15
Road Completion Date: November 15, 1995
Total contract value: $1,000,000
No stumpage rate adjustment
Maximum amount of Periodic Payment: $1,000,000

(i) Periodic payment dates: December 31, 1996, December 31, 1997, and December 31, 1998.

(ii) Amount of available time:

Periodic payment period	Number of normal operating seasons	Amount of available time (percent)
01/01/96–12/31/96	1.0	33
01/01/97–12/31/97	1.0	33
01/01/98–12/31/98	1.0	34
Total	3.0	100

(iii) Periodic Payment Schedule:

Periodic payment date	Periodic payment value (percent)	Projected periodic payment amount (percent)
12/31/96	33	330,000
12/31/97	33	330,000
12/31/98	34	340,000
Total	100	1,000,000

(iv) Adjusted Hardwood Lumber Index 0812

Calendar year	Quarter	Adjusted index	Highest 4 qtrs of previous 8 qtrs	Average highest 4 qtrs	80 percent average	Qualified
1993	2	120	NA	---	---	---
1993	3	130	NA	---	---	---
1993	4	100	NA	---	---	---
1994	1	90	NA	---	---	---
1994	2	110	NA	---	---	---
1994	3	120	NA	---	---	---
1994	4	130	NA	---	---	---
1995	1	140	NA	---	---	---
1995	2	150	140,130,130,120	130	104	NA.
1995	3	100	150,140,130,130	138	110	NA.
1995	4	110	150,140,130,120	135	108	No.
1996	1	90	150,140,130,120	135	108	Yes.
1996	2	120	150,140,130,120	135	108	No.
1996	3	130	150,140,130,120	135	108	No.
1996	4	100	150,140,130,130	138	110	Yes.
1997	1	90	150,140,130,120	135	108	Yes.
1997	2	100	150,130,120,110	128	102	Yes.
1997	3	90	120,130,110,100	115	92	Yes.
1997	4	110	120,130,110,100	115	92	No.
1998	1	110	120,130,110,100	115	92	No.
1998	2	120	120,130,110,110	118	94	No.
1998	3	130	130,120,110,110	118	94	No.
1998	4	120	130,120,110,110	118	94	No.
1999	1	140	130,120,120,110	120	96	No.

After the road completion date, November 15, 1995, the adjusted hardwood lumber index was lower than 80 percent of the highest 4 quarters of the immediately preceding 8 quarters during the following quarters:

Year	Quarter
1996	1
1996	4
1997	1
1997	2
1997	3

The contract qualified for a market-related contract term addition of 1 year at the end of the first quarter of 1997.

The contract qualified for a total of 1 year, 3 months of market-related contract term addition at the end of the second quarter of 1997 because 3 consecutive quarters after the road completion date were less than 80 percent of the average of the highest 4 quarters of the previous 8 quarters. The contract qualified for another 3 months of market-related contract term addition at the end of the third quarter of 1997 because 4 consecutive quarters after the road completion date were less than 80 percent of the average of the 4 highest quarters of the previous 8 quarters.

The December 31, 1997, and the December 31, 1998, periodic payments would have been delayed 1 year each and the contract termination date would have been changed to March 31, 2000, after the first market-related contract term addition. The December 31, 1997, and December 31, 1998, periodic payments would not have been delayed further, although the contract termination date would have been changed to June 30, 2000, after the second market-related contract term addition and changed to September 30, 2000, after the third market-related contract term addition.

After the first market-related contract term addition, the periodic payment schedule would have been as follows:

Periodic payments date	Periodic payment value (percent)	Projected payment amount (percent)
12.31/96	33	330,000
12/31/97	Delayed	0
12/31/98	33	330,000
12/31/99	34	340,000
Total	100	1,000,000

The proposed changes in down payments and the proposed changes in periodic payments as illustrated in the foregoing examples would be codified by revising § 223.49 and § 223.50 and by adding a new section on market-related contract term additions, § 223.52.

The Forest Service is proposing corollary changes to other existing timber sale provisions through revision of the Forest Service Manual. A notice explaining the proposed policy and a request for comments immediately follows this rule document. These changes combined with the proposed periodic payments requirement and market-related contract term revisions will encourage timely harvest of national forest timber sales while providing a purchaser flexibility to respond to changing market conditions.

Regulatory Impact

This action has been reviewed pursuant to Executive Order 12291; the Department of Agriculture has determined that this regulation is not a major rule. It implements the requirement of the FTCPMA requiring the Secretary of Agriculture to provide for downpayments and periodic payments for Forest Service timber sale contracts.

While this rule would change when certain purchasers would pay for the timber, the rule would not change the amount of money the purchasers would pay for their sales. This rule, exclusive of the statutory requirements, would not have an annual effect on the economy of $100 million or more and would not result in a major increase in costs for consumers, individual industries, Federal, State, or local Government agencies, or geographic regions. The rule also would not result in significant adverse effects on competition, employment, investment, productivity, innovation, and the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. The proposed rule should strengthen the United States forest products industry by implementing Congressional direction to deter speculation on Forest Service timber sales and, thereby, should help to preserve the structure of industry and the employment generated by it.

After analysis of the alternatives, the Assistant Secretary for Natural Resources and Environment has determined that this proposed rule with the proposed Forest Service Manual changes would not have a significant economic impact on a substantial number of small entities. The periodic payments are required by statute and will not affect those small entities who harvest their national forest timber sales in a timely manner.

Based on both past experience and environmental analysis, this proposed rule will have no significant effect on the human environment, individually or cumulatively. Therefore, it is determined to be categorically excluded from documentation in either an Environmental Assessment or an Environmental Impact Statement (40 CFR 1508.4). Furthermore, the proposed rule with the proposed Forest Service Manual changes will not result in additional procedures or paperwork or other information collection not already required by law and approved for use. Therefore, 44 U.S.C. 3507 is not applicable.

List of Subjects in 36 CFR Part 223

Exports, Government contracts, national forests, reporting and recordkeeping requirements, Timber.

Therefore, for the reasons set forth above, Part 223 of Chapter II of Title 36 of the Code of Federal Regulations is proposed to be amended as follows:

PART 223—[AMENDED]

1. The authority citation for Part 223 continues to read as follows:

Authority: 90 Stat. 2958, 16 U.S.C. 472a; 98 Stat. 2213, 16 U.S.C. 618; unless otherwise noted.

2. Revise § 223.49, Downpayment, in its entirety to read as follows:

§ 223.49 Downpayment.

(a) The terms listed in this paragraph have the following meaning:

(1) *Total bid value* is the sum of the products obtained by multiplying the rate the purchaser bid for each species by the estimated volume for that species.

(2) *Bid ratio* is the result of dividing the total bid value, minus the amount of the ineffective purchaser credit at the time of advertisement of the sale, by the total advertised value of the sale, or it is 1.0, whichever is larger. *Average bid ratio* is the volume weighted average of the bid ratios of timber sales on a national forest.

(3) *Ineffective purchaser credit* is that portion of the credit earned pursuant to a specific Forest Service timber sale contract for construction of specified roads, or as otherwise provided in such contract, that exceeds the current contract value, minus base rate value as defined in that contract.

(4) *Bid premium* is the amount a purchaser bids in excess of the advertised value.

(b) Timber sale contracts shall include provisions that require purchasers to make a downpayment in cash or by application of earned effective purchaser credit at the time a timber sale contract is executed.

(c) The minimum downpayment shall be the equivalent of 10 percent of the total bid value of each sale, rounded to the next $100, except in those areas where the Chief of the Forest Service determines that it is necessary to increase the amount of the downpayment in order to deter speculation.

(1) On national forests where either the volume weighted average bid ratio during the last fiscal year or the bid ratio on a significant number of timber sales, has exceeded 1.6; and the volume weighted average bid premium on those sales was at least $25 per thousand board feet or equivalent, the amount of downpayment will be equal to 10 percent of the advertised value, plus 20 percent of the bid premium, rounded to the next $100. The Chief of the Forest Service may increase this amount if necessary to deter speculation. In calculating bid ratios and bid premiums for the downpayment requirement, the Forest Service will not use the portion of the bid premium that offsets ineffective purchaser credit that existed at the time of advertisement of the sale; however, this reduction will not permit a downpayment to be below 10 percent of the total bid value for the sale.

(2) To determine the amount of the downpayment due on a sale where the timber is measured in units other than board feet, the Forest Service shall convert the measure to board feet, using appropriate conversion factors with any necessary adjustments.

(d) On scaled sales, a purchaser cannot apply the amount deposited as a downpayment to cover other obligations due on that sale until 25 percent of the advertised timber volume has been scaled and paid for. On tree measurement sales, a purchaser cannot apply the amount deposited as a downpayment to cover other obligations due on that sale until 25 percent of the advertised timber volume is shown on the timber sale statement of account to have been cut, removed, and paid for.

3. Revise § 223.50 to read as follows:

§ 223.50 Periodic payments.

(a) The terms listed in this paragraph have the following meaning:

(1) *Current contract value* is the value of timber as specified and defined in a timber sale contract.

(2) *Normal operating season* is that period specified in the timber sale contract when a purchaser could usually expect to operate the sale without encountering adverse weather conditions or other operation impediments.

(3) *Periodic payment date* is a date specified in a timber sale contract upon which the Forest Service will compare the amount deposited by the timber sale purchaser for timber charges with the sum of the periodic payments required as of that date in the contract.

(4) *Stumpage rate adjustment* is a process authorized in most Forest Service timber sale contracts in the western national forests which permits the price paid for timber under the contract to fluctuate, within stated limits, in response to established market indicators.

(5) *Total contract value* is the product of the advertised timber volume, by species, included in a sale, and the current contract rates, as specified and defined in the contract, as of a periodic payment date.

(b) Each timber sale contract of more than 1 year in duration shall provide for periodic payments. The sum of the scheduled periodic payments under each contract shall be based upon the total contract value of the contract. The contract shall authorize the Contracting Officer to reduce the amount of a periodic payment due if the payment would result in a credit balance for timber charges that exceeds the current contract value.

(c) Unless altered pursuant to 36 CFR 223.46 or 36 CFR 223.52, periodic payments shall either be proportional over the life of the contract or proportional over the period of time between the road completion date specified in the contract and the termination date of the contract, whichever the Forest Service determines as applicable, with periodic payment dates ordinarily on the last day of the calendar quarter which contains the end of a normal operating season. If the last day of the calendar quarter which contains the end of a normal operating season is after the contract's termination date, the periodic payment that would have been determined as of that date shall be determined as of the termination date of the contract.

(d) Upon a purchaser's written request, if the road completion date has been changed as a result of a contract term adjustment, or if the contract has qualified for a contract term adjustment, the Forest Service shall recalculate the periodic payment requirements for the remainder of the contract period.

(e) A contract extension pursuant to 36 CFR 223.115 other than as authorized by 36 CFR 223.52 shall not affect the periodic payment requirements of a contract.

(f) The Chief of the Forest Service may authorize Contracting Officers to establish, prior to timber sale advertisement, alternative periodic payment schedules to provide additional incentives for harvest early in the contract period for salvage or other types of timber sales, where another periodic payment schedule would better meet sale objectives.

(g) Except as provided elsewhere in this section, neither the purchaser of a timber sale contract nor the Forest Service shall modify a periodic payment schedule once such schedule is included in the timber sale contract.

(h) Contracts may permit purchasers to make positive and negative periodic payment schedule offsets. Any such changes shall be effectuated by contract modification by adding a periodic payment table to each contract to which an offset will be applied. The cumulative total of the revised periodic payment requirements shall equal or exceed the cumulative total of the original periodic payment requirements on all periodic payment dates listed in such table.

4. Add a new § 223.52 to read as follows:

§ 223.52 Market-related term additions.

(a) Timber sale contracts which contain periodic payment requirements shall provide for addition of time to the contract term if, after any road completion date specified in the contract, adverse forest products market conditions result in a drastic reduction in wood product prices.

(b) The Forest Service will use producer price indices as prepared by the Department of Labor, Bureau of Labor Statistics, to determine whether a drastic reduction in wood product prices has occurred. The Agency will adjust each applicable index to a constant dollar base, and conclude that drastic reduction in wood product prices has occurred when, for 2 or more consecutive quarters after contract award, or road completion date if the contract requires construction of specified roads, the applicable adjusted index is less than 80 percent of the average of such adjusted index for the 4 highest of the 8 calendar quarters immediately prior to the qualifying quarter. The Regional Forester will determine which producer price index the Agency shall use on each national forest in that region.

(c) If, within the contract period or the period between the road completion date and the termination date if the contract requires construction of specified roads, there are 2 consecutive qualifying quarters, upon the purchaser's written request, the Forest Service will add 1 year to the contract's term; and for each additional consecutive qualifying quarter the Forest Service will add an additional 3 months to the contract's term.

(d) No more than twice the original contract length or 3 years, whichever is less, shall be added to a contract's term by market-related contract term addition.

(e) Where a contract is lengthened as a result of market conditions, the subsequent periodic payment dates of the contract will be delayed 1 year for each 12 months added to the contract's term; however, no periodic payment will be delayed beyond a contract's revised termination date. In no event will the revised contract term exceed 10 years.

George S. Dunlop,

Assistant Secretary, Natural Resources and Environment.

Date: October 14, 1987.

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BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE

Forest Service

Modification of Timber Sale Policy

AGENCY: Forest Service, USDA.

ACTION: Notice of proposed policy.

SUMMARY: Implementation of the Federal Timber Contract Payment Modification Act's downpayment and periodic payment requirements renders some existing timber sale procedures superfluous. The Forest Service proposes to modify or eliminate these duplicative processes.

DATES: Comments must be received by January 5, 1988.

ADDRESSES: Send written comments to R. Max Peterson, Chief (2400), Forest Service, USDA, P.O. Box 2417, Washington DC 20013.

FOR FURTHER INFORMATION CONTACT: David M. Spores, Timber Management Staff, (202) 447–4051.

The public may inspect all written submissions made pursuant to this notice during regular business hours in the office of the Director, Timber Management Staff, Room 3207, South Agriculture Building, 12th and Independence Avenue SW., Washington, DC.

SUPPLEMENTARY INFORMATION: On April 15, 1982, the Forest Service implemented revised procedures governing national forest timber sales (47 FR 16178–16182). The purpose of those new procedures was to encourage a regular flow of products manufactured from national forest timber, encourage purchasers to harvest timber early in the timber sale contract period, and to help ensure financial responsibility of bidders.

Subsequently, the Congress enacted the Federal Timber Contract Payment Modification Act. The downpayment and periodic payments required by this statute provide incentives for operating a timber sale early in the contract period. The act also discourages purchasers from speculative bidding, that is of bidding with the intent of holding timber until late in the contract period in anticipation of increases in market prices. Implementation of the down payment and periodic payment requirements will render some of the existing procedures for sale of national forest timber superfluous. Accordingly, the Forest Service now proposes to modify some existing timber sale procedures and eliminate others.

The downpayment requirement of the act as implemented by 36 CFR 223.49 mandates that a timber sale purchaser make a downpayment upon contract execution. Recent experience has shown that operations on a sale after contract execution may be delayed by order of a court or by the Forest Service due to administrative reviews (36 CFR 211.18), bid protests (4 CFR 21), litigation, or other disputes initiated by parties other than the timber sale purchaser or the Forest Service. In such situations, the purchaser does not have an opportunity to complete the contract to the point that the downpayment amount is available for use against other timber sale charges. The delay can create severe cash flow problems for the purchaser. The downpayment is ineffective in encouraging prompt timber harvest during these delays.

The Forest Service proposes that if, before harvest of a timber sale has been completed to the point that the amount deposited as a downpayment under 36 CFR 223.49 is available for use against other charges on the sale, an administrative review, bid protest, litigation, or similar dispute not initiated by the purchaser or the Forest Service delays sale operations by 30 or more days, the purchaser may replace all or part of the amount deposited as a downpayment with a payment guarantee acceptable to the Forest Service. The purchaser would have to replace the payment guarantee with cash or effective purchaser credit within 30 days of reversal of the referenced order causing the delay, unless the reversal was issued within 30 days of the end of, or after the end of a normal operating season as defined in the contract. In such a case, the purchaser would have to replace the payment guarantee with cash or effective purchaser credit prior to the start of the contract's next normal operating season. This policy would only apply in those situations where operations on a sale were delayed by order of a court or by the Forest Service.

The Forest Service also plans to eliminate the timber sale discounting procedure implemented in 1982 on a test basis on some national forests in western Washington and Oregon and northern California (47 FR 16181). Use of discount procedures in conjunction with periodic payments in the same timber sale contract would be redundant and unnecessarily complicated. Therefore, the Forest Service proposes to stop the discount procedure test once periodic payments are implemented.

A midpoint payment process for timber sales of more than 3 years' duration was established April 15, 1982, (47 FR 16181). On October 11, 1985 (50 FR 41500) the Forest Service issued a final rule, 36 CFR 223.50, that replaced the 1982 midpoint payment process and requires a midpoint payment on a national forest timber sale with 1-year or more between the bid date and termination date. The periodic payment procedures will make a midpoint payment process unnecessary. Therefore, the Forest Service does not plan to reinstate the 1982 midpoint payment process in contracts bid after implementation of periodic payments.

Comments received from the public on these proposed policy changes will be analyzed and considered in developing a final policy. The final policy will be issued as direction to Forest Service employees through Title 2400-Timber Management of the Forest Service Manual. Notice of adoption of the final policy will also be made in the **Federal Register.**

Date: September 30, 1987.

George M. Leonard,

Associate Chief.

[FR Doc. 87–25725 Filed 11–5–87; 8:45 am]

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federal register

Friday
November 6, 1987

Part VII

Environmental Protection Agency

40 CFR Part 27

Program Fraud Civil Remedies; Proposed Rule

BEST COPY AVAILABLE

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 27

FRL-3233-9

Program Fraud Civil Remedies

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency proposes to adopt regulations implementing the Program Fraud Civil Remedies Act of 1986. This Act authorizes certain federal agencies, including EPA, through administrative procedures, to impose civil penalties and assessments against any person who makes a false claim or statement to EPA.

DATE: Comments must be received on or before December 7, 1987.

ADDRESSES: Written comments may be mailed to the Office of the General Counsel, Inspector General Division, U.S. Environmental Protection Agency, 401 M Street SW., LE-132I, Washington, DC 20460, or delivered to that office in Room 1023, West Tower, at the same address. Copies of all written comments will be available for inspection in Room 1023, West Tower, at the above address, between 9:00 a.m. and 5:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Marla Diamond, Esq., Office of General Counsel, Inspector General Division, U.S. Environmental Protection Agency, 401 M Street, SW. (LE-132I), Washington, DC 20460, Telephone: (202) 475-6660.

SUPPLEMENTARY INFORMATION: The Program Fraud Civil Remedies Act (the Act), Pub. L. No. 99-509, was enacted on October 21, 1986, as sections 6103-6104 of the Omnibus Budget Reconciliation Act of 1986, to be codified at 31 U.S.C. 3801-3812. The Act establishes a new administrative remedy against persons who submit false claims or written statements to the Environmental Protection Agency, as well as certain other federal agencies. This remedy is in addition to any criminal, civil or administrative remedies presently available to EPA by statute, regulation, contract or other procedure. In general, any person who submits a claim, not in excess of $150,000, or a written statement to EPA, knowing or with reason to know that it is false, fictitious, or fraudulent, is liable for a penalty of up to $5,000 per claim or statement, and for an assessment of up to double the amount falsely claimed.

The Act requires each affected federal agency to promulgate rules and regulations to implement the provisions of the Act. The Senate Governmental Affairs Committee stated in its report on the Act that it "expects that the regulations would be substantially uniform throughout government." S. Rep. No. 99-212, 99th Cong., 1st Sess. 12 (1986). To promote this uniformity throughout government, the President's Council on Integrity and Efficiency distributed a draft model regulation to its members requesting comments. An inter-agency workgroup, including a representative from EPA, reviewed the comments and revised the draft regulation. On March 6, 1987, the Chairman of the Council distributed the final model regulation. On September 18, 1987, the Vice Chairman of the Council distributed changes to the model regulation in response to public comments on proposed rules published by other agencies. EPA proposes to adopt the model regulation, as amended, with certain procedural modifications.

The Act vests authority to investigate false claims and written statements with the agency's investigating official. The investigating official has the power to subpoena documents and other information not otherwise reasonably available. If the investigating official concludes that an action is warranted, he submits a report of investigation to the reviewing official.

The reviewing official, who must be independent of the investigating official, reviews the report of investigation to determine whether there is adequate evidence to believe that the person investigated is liable under the Act. If so, the reviewing official notifies the Department of Justice, in writing, of his intent to issue a complaint. The Attorney General, or designated Assistant Attorney General, has 90 days to approve or disapprove the issuance of a complaint.

If the Attorney General, or his designate, approves the issuance of a complaint, the reviewing official serves the complaint on the defendant. The defendant has 30 days from receipt of the complaint to request a hearing by filing an answer. The reviewing official forwards the complaint and the answer to a presiding officer.

The presiding officer serves a notice of hearing on the defendant, supervises discovery, rules on motions, conducts the hearing, and issues an initial decision. The initial decision must contain findings of fact, conclusions of law, and the amount of any penalties and assessments imposed. Any defendant who is found to be liable for any penalties or assessments may appeal the initial decision to the authority head.

The authority head may affirm, reduce, reverse, compromise, remand, or settle any penalty or assessment. If the authority head determines that the defendant is liable for any penalties or assessments, the defendant may obtain judicial review of that decision in an appropriate United States District Court.

EPA's proposed rule provides for the Inspector General or his designee to act as the investigating official (as required by the Act), the General Counsel or his designee to act as the reviewing official, an administrative law judge to act as the presiding officer (also required by the Act), and the Administrator or a judicial officer to act as the authority head.

Executive Order 12291

EPA has determined that this rule is not a major rule for the purposes of Executive Order 12291. It does not have an annual effect on the economy of $100 million or more; it will not cause a major increase in costs or prices for consumers or others; and it will not have any significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. Therefore, a regulatory impact analysis has not been prepared.

Regulatory Flexibility Analysis

We have determined that the regulation would not have a significant impact on a substantial number of small business entities and, therefore, we have not prepared a regulatory flexibility analysis in accordance with the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-611. While some of the penalties and assessments imposed by EPA could have an impact on small businesses and other small entities, we do not believe that a substantial number of these small entities will be significantly affected by this regulation.

Paperwork Reduction Act of 1980

We have determined that this regulation does not contain any specific information collection or recordkeeping requirements as defined by the Paperwork Reduction Act of 1980.

Public Comments

EPA invites public comments on these proposed regulations. Although we will not be able to respond to these comments individually, all comments will be considered in preparing the final rule. Specific significant comments will

be addressed in the preamble to the final rule.

List of Subjects in 40 CFR Part 27

Administrative practice and procedure, Assessments, False claims, False statements, Penalties.

Date: November 2, 1987.

A. James Barnes,

Acting Administrator.

For the reasons set out in the Preamble, Title 40, Chapter I, Subchapter A of the Code of Federal Regulations is proposed to be amended as follows:

In Title 40 of the Code of Federal Regulations, a new Part 27, Program Fraud Civil Remedies, is added to read as follows:

PART 27—PROGRAM FRAUD CIVIL REMEDIES

Sec.

27.1 Basis and purpose.
27.2 Definitions.
27.3 Basis for civil penalties and assessments.
27.4 Investigation.
27.5 Review by the reviewing official.
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27.22 Exchange of witness lists, statements, and exhibits.
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27.25 Fees.
27.26 Form, filing and service of papers.
27.27 Computation of time.
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27.39 Appeal to authority head.
27.40 Stays ordered by the Department of Justice.
27.41 Stay pending appeal.
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27.43 Collection of civil penalties and assessments.
27.44 Right to administrative offset.
27.45 Deposit in Treasury of United States.
27.46 Compromise or settlement.
27.47 Limitations.
27.48 Delegated functions.

Authority: 31 U.S.C. 3809.

§ 27.1 Basis and purpose.

(a) *Basis.* This Part implements the Program Fraud Civil Remedies Act of 1986, Pub. L. No. 99–509, sections 6101–6104, 100 Stat. 1874 (October 21, 1986), to be codified at 31 U.S.C. 3801–3812. 31 U.S.C. 3809 of the statute requires each authority head to promulgate regulations necessary to implement the provisions of the statute.

(b) *Purpose.* This part—

(1) Establishes administrative procedures for imposing civil penalties and assessments against persons who make, submit, or present, or cause to be made, submitted, or presented, false, fictitious, or fraudulent claims or written statements to the Environmental Protection Agency, and

(2) Specifies the hearing and appeal rights of persons subject to allegations of liability for such penalties and assessments.

§ 27.2 Definitions.

Administrative Law Judge means an administrative law judge in the Authority appointed pursuant to 5 U.S.C. 3105 or detailed to the Authority pursuant to 5 U.S.C. 3344.

Administrator means the Administrator of the United States Environmental Protection Agency.

Authority means the United States Environmental Protection Agency.

Authority head means the Administrator or his delegate.

Benefit means, in the context of "statement," anything of value, including but not limited to any advantage, preference, privilege, license, permit, favorable decision, ruling, status, or loan guarantee.

Claim means any request, demand, or submission—

(a) Made to the Authority for property, services, or money (including money representing grants, loans, insurance, or benefits);

(b) Made to a recipient of property, services, or money from the Authority or to a party to a contract with the Authority—

(1) For property or services if the United States—

(i) Provided such property or services;

(ii) Provided any portion of the funds for the purchase of such property or services; or

(iii) Will reimburse such recipient or party for the purchase of such property or services; or

(2) For the payment of money (including money representing grants, loans, insurance, or benefits) if the United States—

(i) Provided any portion of the money requested or demanded; or

(ii) Will reimburse such recipient or party for any portion of the money paid on such request or demand; or

(c) Made the Authority which has the effect of decreasing an obligation to pay or account for property, services, or money.

Complaint means the administrative complaint served by the reviewing official on the defendant under § 27.7.

Defendant means any person alleged in a complaint under § 27.7 to be liable for a civil penalty or assessment under § 27.3.

Government means the United States Government.

Hearing Clerk means the Hearing Clerk, A–110, United States Environmental Protection Agency, 401 M St. SW., Washington, DC 20460.

Individual means a natural person.

Initial decision means the written decision of the presiding officer required by § 27.10 or § 27.37, and includes a revised initial decision issued following a remand or a motion for reconsideration.

Investigating official means the Inspector General of the United States Environmental Protection Agency or an officer or employee of the Office of Inspector General designated by the Inspector General and serving in a position for which the rate of basic pay is not less than the minimum rate of basic pay for grade GS–16 under the General Schedule.

Judicial officer means an attorney who is a permanent or temporary employee of the Authority or some other Federal agency designated by the Administrator to serve as judicial officer and who may perform other duties within the Authority but shall not be employed by any program office directly associated with the type of violation at issue in the proceeding.

Knows or has reason to know means that a person, with respect to a claim or statement—

(a) Has actual knowledge that the claim or statement is false, fictitious, or fraudulent;

(b) Acts in deliberate ignorance of the truth or falsity of the claim or statement; or

(c) Acts in reckless disregard of the truth or falsity of the claim or statement.

Makes, wherever it appears, shall include the terms presents, submits, and causes to be made, presented, or submitted. As the context requires, *making* or *made*, shall likewise include the corresponding forms of such terms.

Person means any individual, partnership, corporation, association, or private organization, and includes the plural of those terms.

Presiding officer means the administrative law judge designated by the Chief administrative law judge to serve as presiding officer.

Representative means an attorney who is a member in good standing of the bar of any State, Territory, or possession of the United States or of the District of Columbia or the Commonwealth of Puerto Rico, or other representative who must conform to the standards of conduct and ethics required of practitioners before the courts of the United States.

Reviewing official means the General Counsel of the Authority or his designee who is—

(a) Not subject to supervision by, or required to report to, the investigating official;

(b) Not employed in the organizational unit of the Authority in which the investigating official is employed; and

(c) Serving in a position for which the rate of basic pay is not less than the minimum rate of basic pay for grade GS–16 under the General Schedule.

Statement means any representation, certification, affirmation, document, record, or accounting or bookkeeping entry made—

(a) With respect to a claim or to obtain the approval or payment of a claim (including relating to eligibility to make a claim); or

(b) With respect to (including relating to eligibility for)—

(1) A contract with, or a bid or proposal for a contract with; or

(2) A grant, loan, or benefit from, the Authority, or any State, political subdivision of a State, or other party, if the United States Government provides any portion of the money or property under such contract or for such grant, loan, or benefit, or if the Government will reimburse such State, political subdivision, or party for any portion of the money or property under such contract or for such grant, loan, or benefit.

§ 27.3 Basis for civil penalties and assessments.

(a) *Claims.* (1) Except as provided in paragraph (c) of this section, any person who makes a claim that the person knows or has reason to know—

(i) Is false, fictitious, or fraudulent;

(ii) Includes or is supported by any written statement which asserts a material fact which is false, fictitious, or fraudulent;

(iii) Includes or is supported by any written statement that—

(A) Omits a material fact;

(B) Is false, fictitious, or fraudulent as a result of such omission; and

(C) Is a statement in which the person making such statement has a duty to include such material fact; or

(iv) Is for payment for the provision of property or services which the person has not provided as claimed,

shall be subject, in addition to any other remedy that may be prescribed by law, to a civil penalty of not more than $5,000 for each such claim.

(2) Each voucher, invoice, claim form, or other individual request or demand for property, services, or money constitutes a separate claim.

(3) A claim shall be considered made to the Authority, recipient, or party when such claim is actually made to an agent, fiscal intermediary, or other entity, including any State or political subdivision thereof, acting for or on behalf of the Authority, recipient, or party.

(4) Each claim for property, services, or money is subject to a civil penalty regardless of whether such property, services, or money is actually delivered or paid.

(5) If the Government has made any payment (including transferred property or provided services) on a claim, a person subject to a civil penalty under paragraph (a)(1) of this section, shall also be subject to an assessment of not more than twice the amount of such claim or that portion thereof that is determined to be in violation of paragraph (a)(1). Such assessment shall be in lieu of damages sustained by the Government because of such claim.

(b) *Statements.* (1) Except as provided in paragraph (c) of this section, any person who makes a written statement that—

(i) The person knows or has reason to know—

(A) Asserts a material fact which is false, fictitious, or fraudulent; or

(B) Is false, fictitious, or fraudulent because it omits a material fact that the person making the statement has a duty to include in such statement; and

(ii) Contains or is accompanied by an express certification or affirmation of the truthfulness and accuracy of the contents of the statement,

shall be subject, in addition to any other remedy that may be prescribed by law, to a civil penalty of not more than $5,000 for each such statement.

(2) Each written representation, certification, or affirmation constitutes a separate statement.

(3) A statement shall be considered made to the Authority when such statement is actually made to an agent, fiscal intermediary, or other entity, including any State or political subdivision thereof, acting for or on behalf of such Authority.

(c) No proof of specific intend to defraud is required to establish liability under this section.

(d) In any case in which it is determined that more than one person is liable for making a claim or statement under this section, each such person may be held liable for a civil penalty under this section.

(e) In any case in which it is determined that more than one person is liable for making a claim under this section on which the Government has made payment (including transferred property or provided services), an assessment may be imposed against any such person or jointly and severally against any combination of such persons.

§ 27.4 Investigation.

(a) If the investigating official concludes that a subpoena pursuant to the authority conferred by 31 U.S.C. 3804(a) is warranted—

(a) The subpoena so issued shall notify the person to whom it is addressed of the authority under which the subpoena is issued and shall identify the records or documents sought;

(2) The investigating official may designate a person to act on his or her behalf to receive the documents sought; and

(3) The person receiving such subpoena shall be required to tender to the investigating official or the person designated to receive the documents a certification that the documents sought have been produced, or that such documents are not available and the reasons therefor, or that such documents, suitably identified, have been withheld based upon the assertion of an identified privilege.

(b) If the investigating official concludes that an action under the Program Fraud Civil Remedies Act may be warranted, the investigating official shall submit a report containing the findings and conclusions of such investigation to the reviewing official.

(c) Nothing in this section shall preclude or limit an investigating official's discretion to defer or postpone a report or referral to the reviewing official to avoid interference with a criminal investigation or prosecution.

(d) Nothing in this section modifies any responsibility of an investigating official to report violations of criminal law to the Attorney General.

§ 27.5 Review by the reviewing official.

(a) If, based on the report of the investigating official under § 27.4(b), the reviewing official determines that there is adequate evidence to believe that a person is liable under § 27.3 of this part, the reviewing official shall transmit to the Attorney General a written notice of the reviewing official's intention to issue a complaint under § 27.7.

(b) Such notice shall include—

(1) A statement of the reviewing official's reasons for issuing a complaint;

(2) A statement specifying the evidence that supports the allegations of liability;

(3) A description of the claims or statements upon which the allegations of liability are based;

(4) An estimate of the amount of money or the value of property, services, or other benefits requested or demanded in violation of § 27.3 of this part;

(5) A statement of any exculpatory or mitigating circumstances that may relate to the claims or statements known by the reviewing official or the investigating official; and

(6) A statement that there is a reasonable prospect of collecting an appropriate amount of penalties and assessments.

§ 27.6 Prerequisites for issuing a complaint.

(a) The reviewing official may issue a complaint under § 27.7 only if—

(1) The Department of Justice approves the issuance of a complaint in written statement described in 31 U.S.C. 3803(b)(1), and

(2) In the case of allegations of liability under § 27.3(a) with respect to a claim, the reviewing official determines that, with respect to such claim or a group of related claims submitted at the same time such claim is submitted (as defined in paragraph (b) of this section), the amount of money or the value of property or services demanded or requested in violation of § 27.3(a) does not exceed $150,000.

(b) For the purposes of this section, a related group of claims submitted at the same time shall include only those claims arising from the same transaction (*e.g.*, grant, loan, application, or contract) that are submitted simultaneously as part of a single request, demand, or submission.

(c) Nothing in this section shall be construed to limit the reviewing official's authority to join in a single complaint against a person, claims that are unrelated or were not submitted simultaneously, regardless of the amount of money, or the value of property or services, demanded or requested.

§ 27.7 Complaint.

(a) On or after the date the Department of Justice approves the issuance of a complaint in accordance with 31 U.S.C. 3803(b)(1), the reviewing official may serve a complaint on the defendant, as provided in § 27.8.

(b) The complaint shall state—

(1) The allegations of liability against the defendant, including the statutory basis for liability, an identification of the claims or statements that are the basis for the alleged liability, and the reasons why liability allegedly arises from such claims or statements;

(2) The maximum amount of penalties and assessments for which the defendant may be held liable;

(3) Instructions for filing an answer to request a hearing, including a specific statement of the defendant's right to request a hearing by filing an answer and to be represented by a representative; and

(4) That failure to file an answer within 30 days of service of the complaint will result in the imposition of the maximum amount of penalties and assessments without right to appeal as provided in § 27.10.

(c) At the same time the reviewing official serves the complaint, he or she shall serve the defendant with a copy of these regulations.

§ 27.8 Service of complaint.

(a) Service of a complaint must be made by certified or registered mail or by delivery in any manner authorized by Rule 4(d) of the Federal Rules of civil Procedure. Service is complete upon receipt.

(b) Proof of service, stating the name and address of the person on whom the complaint was served, and the manner and date of service, may be made by—

(1) Affidavit of the individual serving the complaint by delivery;

(2) A United States Postal Service return receipt card acknowledging receipt; or

(3) Written acknowledgment of receipt by the defendant or his or her representative.

§ 27.9 Answer.

(a) The defendant may request a hearing by filling an answer with the reviewing official within 30 days of service of the complaint. An answer shall be deemed to be a request for hearing.

(b) In the anwer, the defendant—

(1) Shall admit or deny each of the allegations of liability made in the complaint;

(2) Shall state any defense on which the defendant intends to rely;

(3) May state any reasons why the defendant contends that the penalties and assessments should be less than the statutory maximum; and

(4) Shall state the name, address, and telephone number of the person authorized by the defendant to act as defendant's representative, if any.

(c) If the defendant is unable to file an answer meeting the requirements of paragraph (b) of this section within the time provided, the defendant may, before the expiration of 30 days from service of the complaint, file with the reviewing official a general answer denying liability and requesting a hearing, and a request for an extension of time within which to file an answer meeting the requirements of paragraph (b) of this section. The reviewing official shall file promptly with the hearing clerk the complaint, the general answer denying liability, and the request for an extension of time as provided in § 27.11. Upon assignment to a presiding officer, the presiding officer may, for good cause shown, grant the defendant up to 30 additional days within which to file an answer meeting the requirements of paragraph (b) of this section.

§ 27.10 Default upon failure to file an answer.

(a) If the defendant does not file an answer within the time prescribed in § 27.9(a), the reviewing official may file the complaint with the hearing clerk as provided in § 27.11.

(b) Upon assignment of the complaint to a presiding officer, the presiding officer shall promptly serve on defendant in the manner prescribed in § 27.8, a notice that an initial decision will be issued under this section.

(c) The presiding officer shall assume the facts alleged in the complaint to be true, and, if such facts establish liability under § 27.3, the presiding officer shall issue an initial decision imposing the maximum amount of penalties and assessments allowed under the statute.

(d) Except as otherwise provided in this section, by failing to file a timely answer, the defendant waives any right to further review of the penalties and assessments imposed under paragraph (c) of this section, and the initial decision shall become final and binding upon the parties 30 days after it is issued.

(e) If, before such an initial decision becomes final, the defendant files a motion seeking to reopen on the grounds

that extraordinary circumstances prevented the defendant from filing an answer, the initial decision shall be stayed pending the presiding officer's decision on the motion.

(f) If, on such motion, the defendant can demonstrate extraordinary circumstances excusing the failure to file a timely answer, the presiding officer shall withdraw the initial decision in paragraph (c) of this section, if such a decision has been issued, and shall grant the defendant an opportunity to answer the complaint.

(g) A decision of the presiding officer denying a defendant's motion under paragraph (e) of this section, is not subject to reconsideration under § 27.38.

(h) The defendant may appeal to the authority head the decision denying a motion to reopen by filing a notice of appeal within 15 days after the presiding officer denies the motion. The timely filing of a notice of appeal shall stay the initial decision until the authority head decides the issue.

(i) If the defendant files a timely notice of appeal, the presiding officer shall forward the record of the proceeding to the authority head.

(j) The authority head shall decide expeditiously whether extraordinary circumstances excuse the defendant's failure to file a timely answer based solely on the record before the presiding officer.

(k) If the authority head decides that extraordinary circumstances excused the defendant's failure to file a timely answer, the authority head shall remand the case to the presiding officer with instructions to grant the defendant an opportunity to answer.

(l) If the authority head decides that the defendant's failure to file a timely answer is not excused, the authority head shall reinstate the initial decision of the presiding officer, which shall become final and binding upon the parties 30 days after the authority head issues such decision.

§ 27.11 Referral of complaint and answer to the presiding officer.

(a) Upon receipt of an answer, the reviewing official shall file the complaint and answer with the hearing clerk.

(b) The hearing clerk shall forward the complaint and answer to the Chief administrative law judge who shall assign himself or herself or another administrative law judge as presiding officer. The presiding officer shall then obtain the complaint and answer from the Chief administrative law judge and notify the parties of his or her assignment.

§ 27.12 Notice of hearing.

(a) When the presiding officer obtains the complaint and answer, the presiding officer shall promptly serve a notice of hearing upon the defendant in the manner prescribed by § 27.8. At the same time, the presiding officer shall send a copy of such notice to the representative for the Government.

(b) Such notice shall include—

(1) The date, time and place, and the nature of the hearing;

(2) The legal authority and jurisdiction under which the hearing is to be held;

(3) The matters of fact and law to be asserted;

(4) A description of the procedures for the conduct of the hearing;

(5) The name, address, and telephone number of the representative of the Government and of the defendant, if any; and

(6) Such other matters as the presiding officer deems appropriate.

(c) The presiding officer shall issue the notice of hearing at least twenty (20) days prior to the date set for the hearing.

§ 27.13 Parties to the hearing.

(a) The parties to the hearing shall be the defendant and the Authority.

(b) Pursuant to 31 U.S.C. 3730(c)(5), a private plaintiff under the False Claims Act may participate in these proceedings to the extent authorized by the provisions of that Act.

§ 27.14 Separation of functions.

(a) The investigating official, the reviewing official, and any employee or agent of the Authority who takes part in investigating, preparing, or presenting a particular case, may not, in such case or a factually related case—

(1) Participate in the hearing as the presiding officer;

(2) Participate or advise in the initial decision or the review of the initial decision by the authority head, except as a witness or a representative in public proceedings; or

(3) Make the collection of penalties and assessments under 31 U.S.C. 3806.

(b) Neither the presiding officer nor judicial officer shall be responsible to, or subject to the supervision or direction of the investigating official or the reviewing official.

(c) Except as provided in paragraph (a) of this section, the representative for the Government may be employed anywhere in the authority, including in the offices of either the investigating official or the reviewing official.

§ 27.15 Ex parte contacts.

No party or person (except employees of the presiding officer's office) shall communicate in any way with the presiding officer on any matter at issue in a case, unless on notice and opportunity for all parties to participate. This provision does not prohibit a person or party from inquiring about the status of a case or asking routine questions concerning administrative functions or procedures.

§ 27.16 Disqualification of the reviewing official or presiding officer.

(a) A reviewing official or presiding officer in a particular case may disqualify himself or herself at any time.

(b) A party may file a motion for disqualification of a reviewing official or presiding officer with the hearing clerk. Such motion shall be accompanied by an affidavit alleging personal bias or other reason for disqualification.

(c) Such motion and affidavit shall be filed within 15 days of the party's discovery of reasons requiring disqualification, or such objections shall be deemed waived.

(d) Such affidavit shall state specific facts that support the party's belief that personal bias or other reason for disqualification exists and the time and circumstances of the party's discovery of such facts. It shall be accompanied by a certificate of the representative of record that it is made in good faith.

(e) Upon the filing of such a motion and affidavit, the presiding officer shall proceed no further in the case until he or she resolves the matter of disqualification in accordance with paragraph (f) of this section.

(f)(1) If the presiding officer determines that the reviewing official is disqualified becaues the reviewing official could not have made an impartial determination pursuant to § 27.5(a), the presiding officer shall dismiss the complaint without prejudice.

(2) If the presiding officer disqualifies himself or herself, the case shall be reassigned promptly to another presiding officer.

(3) If the presiding officer denies a motion to disqualify, the authority head may determine the matter only as part of his or her review of the initial decision upon appeal, if any.

§ 27.17 Rights of parties.

Except as otherwise limited by this Part, all parties may—

(a) Be accompanied, represented, and advised by a representative;

(b) Participate in any conference held by the presiding officer;

(c) Conduct discovery;

(d) Agree to stipulations of fact or law, which shall be made part of the record;

(e) Present evidence relevant to the issues at the hearing;

(f) Present and cross-examine witnesses;

(g) Present oral arguments at the hearing as permitted by the presiding officer; and

(h) Submit written briefs and proposed findings of fact and conclusions of law after the hearing.

§ 27.18 Authority of the presiding officer.

(a) The presiding officer shall conduct a fair and impartial hearing, avoid delay, maintain order, and assure that a record of the proceeding is made.

(b) The presiding officer has the authority to—

(1) Set and change the date, time, and place of the hearing upon reasonable notice to the parties;

(2) Continue or recess the hearing in whole or in part for a reasonable period of time;

(3) Hold conferences to identify or simplify the issues, or to consider other matters that may aid in the expeditious disposition of the proceeding;

(4) Administer oaths and affirmations;

(5) Issue subpoenas requiring the attendance of witnesses and the production of documents at depositions or at hearings;

(6) Rule on motions and other procedural matters;

(7) Regulate the scope and timing of discovery;

(8) Regulate the course of the hearing and the conduct of representatives and parties;

(9) Examine witnesses;

(10) Receive, rule on, exclude, or limit evidence;

(11) Upon motion of a party, take official notice of facts;

(12) Upon motion of a party, decide cases, in whole or in part, by summary judgment where there is no disputed issue of material fact;

(13) Conduct any conference, argument, or hearing on motions in person or by telephone; and

(14) Exercise such other authority as is necessary to carry out the responsibilities of the presiding officer under this Part.

(c) The presiding officer does not have the authority to find Federal statutes or regulations invalid.

§ 27.19 Prehearing conferences.

(a) The presiding officer may schedule prehearing conferences as appropriate.

(b) Upon the motion of any party, the presiding officer shall schedule at least one prehearing conference at a reasonable time in advance of the hearing.

(c) The presiding officer may use prehearing conferences to discuss the following:

(1) Simplification of the issues;

(2) The necessity or desirability of amendments to the pleadings, including the need for a more definite statement;

(3) Stipulations and admissions of fact as to the contents and authenticity of documents;

(4) Whether the parties can agree to submission of the case on a stipulated record;

(5) Whether a party chooses to waive appearance at an oral hearing and to submit only documentary evidence (subject to the objection of other parties) and written argument;

(6) Limitation of the number of witnesses;

(7) Scheduling dates for the exchange of witness lists and of proposed exhibits;

(8) Discovery;

(9) The time and place for the hearing; and

(10) Such other matters as may tend to expedite the fair and just disposition of the proceedings.

(d) The presiding officer may issue an order containing all matters agreed upon by the parties or ordered by the presiding officer at a prehearing conference.

§ 27.20 Disclosure of documents.

(a) Upon written request to the reviewing official, the defendant may review any relevant and material documents, transcripts, records, and other materials that relate to the allegations set out in the complaint and upon which the findings and conclusions of the investigating official under § 27.4(b) are based, unless such documents are subject to a privilege under Federal law. Upon payment of fees for duplication, the defendant may obtain copies of such documents.

(b) Upon written request to the reviewing official, the defendant also may obtain a copy of all exculpatory information in the possession of the reviewing official or investigating official relating to the allegations in the complaint, even if it is contained in a document that would otherwise be privileged. If the document would otherwise be privileged, only that portion containing exculpatory information must be disclosed.

(c) The notice sent to the Attorney General from the reviewing official as described in § 27.5 is not discoverable under any circumstances.

(d) The defendant may file a motion to compel disclosure of the documents subject to the provisions of this section. Such a motion may only be filed following the filing of an answer pursuant to § 27.9.

§ 27.21 Discovery.

(a) The following types of discovery are authorized:

(1) Requests for production of documents for inspection and copying;

(2) Requests for admissions of the authenticity of any relevant document or of the truth of any relevant fact;

(3) Written interrogatories; and

(4) Depositions.

(b) For the purpose of this section and §§ 27.22 and 27.23, the term "documents" includes information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence. Nothing contained herein shall be interpreted to require the creation of a document.

(c) Unless mutually agreed to by the parties, discovery is available only as ordered by the presiding officer. The presiding officer shall regulate the timing of discovery.

(d) *Motions for discovery.* (1) A party seeking discovery may file a motion which shall be accompanied by a copy of the requested discovery, or in the case of depositions, a summary of the scope of the proposed deposition.

(2) Within ten days of service, a party may file an opposition to the motion and/or a motion for protective order as provided in § 27.24.

(3) The presiding officer may grant a motion for discovery only if he finds that the discovery sought—

(i) Is necessary for the expenditures, fair, and reasonable consideration of the issues;

(ii) Is not unduly costly or burdensome;

(iii) Will not unduly delay the proceeding; and

(iv) Does not seek privileged information.

(4) The burden of showing that discovery should be allowed is on the party seeking discovery.

(5) The presiding officer may grant discovery subject to a protective order under § 27.24.

(e) *Depositions.* (1) If a motion for deposition is granted, the presiding officer shall issue a subpoena for the deponent, which may require the deponent to produce documents. The subpoena shall specify the time and place at which the deposition will be held.

(2) The party seeking to depose shall serve the subpoena in the manner prescribed in § 27.8.

(3) The deponent may file a motion to quash the subpoena or a motion for a

protective order within ten days of service.

(4) The party seeking to depose shall provide for the taking of a verbatim transcript of the deposition, which it shall make available to all other parties for inspection and copying.

(f) Each party shall bear its own costs of discovery.

§ 27.22 Exchange of witness lists, statements and exhibits.

(a) At least 15 days before the hearing or at such other time as may be ordered by the presiding officer, the parties shall exchange witness lists, copies of prior statements of proposed witnesses, and copies of proposed hearing exhibits, including copies of any written statements that the party intends to offer in lieu of live testimony in accordance with § 27.33(b). At the time the above documents are exchanged, any party that intends to rely on the transcript of deposition testimony in lieu of live testimony at the hearing, if permitted by the presiding officer, shall provide each party with a copy of the specific pages of the transcript it intends to introduce into evidence.

(b) If a party objects, the presiding officer shall not admit into evidence the testimony of any witness whose name does not appear on the witness list or any exhibit not provided to the opposing party as provided above unless the presiding officer finds good cause for the failure or that there is no prejudice to the objecting party.

(c) Unless another party objects within the time set by the presiding officer, documents exchanged in accordance with paragraph (a) of this section shall be deemed to be authentic for the purpose of admissibility at the hearing.

§ 27.23 Subpoenas for attendance at hearing.

(a) A party wishing to procure the appearance and testimony of any individual at the hearing may request that the presiding officer issue a subpoena.

(b) A subpoena requiring the attendance and testimony of an individual may also require the individual to produce documents at the hearing.

(c) A party seeking a subpoena shall file a written request therefor not less than 15 days before the date fixed for the hearing unless otherwise allowed by the presiding officer for good cause shown. Such request shall specify any documents to be produced and shall designate the witnesses and describe the address and location thereof with sufficient particularity to permit such witnesses to be found.

(d) The subpoena shall specify the time and place at which the witness is to appear and any documents the witness is to produce.

(e) The party seeking the subpoena shall serve it in the manner prescribed in § 27.8. A subpoena on a party or upon an individual under the control of a party may be served by first class mail.

(f) A party of the individual to whom the subpoena is directed may file a motion to quash the subpoena within ten days after service or on or before the time specified in the subpoena for compliance if it is less than ten days after service.

§ 27.24 Protective order.

(a) A party or a prospective witness or dependent may file a motion for a protective order with respect to discovery sought by a party or with respect to the hearing, seeking to limit the availability or disclosure of evidence.

(b) In issuing a protective order, the presiding officer may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following:

(1) That the discovery not be had;

(2) That the discovery may be had only on specified terms and conditions, including a designation of the time or place;

(3) That the discovery may be had only through a method of discovery other than that requested;

(4) That certain matters not be inquired into, or that the scope of discovery be limited to certain matters;

(5) That discovery be conducted with no one present except persons designated by the presiding officer;

(6) That the contents of discovery or evidence be sealed;

(7) That a deposition after being sealed be opened only by order of the presiding officer;

(8) That a trade secret or other confidential research, development, or commercial information, or facts pertaining to any criminal investigation, proceeding, or other administrative investigation not be disclosed or be disclosed only in a designated way; or

(9) That the parties simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the presiding officer.

§ 27.25 Fees.

The party requesting a subpoena shall pay the cost of the fees and mileage of any witness subpoenaed in the amounts that would be payable to a witness in a proceeding in United States District Court. A check for witness fees and mileage shall accompany the subpoena when served, except that when a subpoena is issued on behalf of the Authority, a check for witness fees and mileage need not accompany the subpoena.

§ 27.26 Form, filing and service of papers.

(a) *Form.* (1) Documents filed with the hearing clerk shall include an original and two copies.

(2) The first page of every pleading and paper filed in the proceeding shall contain a caption setting forth the title of the action, the case number assigned by the hearing clerk, and a designation of the paper (*e.g.*, motion to quash subpoena).

(3) Every pleading and paper shall be signed by, and shall contain the address and telephone number of, the party or the person on whose behalf the paper was filed, or his or her representative.

(4) Papers are considered filed when they are mailed. Date of mailing may be established by a certificate from the party or its representative or by proof that the document was sent by certified or registered mail.

(b) *Service.* A party filing a document with the hearing clerk shall, at the time of filing, serve a copy of such document on every other party. Service upon any party of any document, other than those required to be served as prescribed in § 27.8, shall be made by delivering a copy or by placing a copy of the document in the United States mail, postage prepaid and addressed, to the party's last known address. When a party is represented by a representative, service shall be made upon such representative in lieu of the actual party.

(c) *Proof of service.* A certificate of the individual serving the document by personal delivery or by mail, setting forth the manner of service, shall be proof of service.

§ 27.27 Computation of time.

(a) In computing any period of time under this Part or in an order issued thereunder, the time begins with the day following the act, event, or default, and includes the last day of the period, unless it is a Saturday, Sunday, or legal holiday observed by the Federal government, in which event it includes the next business day.

(b) When the period of time allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays observed by the Federal government shall be excluded from the computation.

(c) When a document has been served or issued by placing it in the mail, an additional five days will be added to the time permitted for any response.

§ 27.28 Motions.

(a) Any application to the presiding officer for an order or ruling shall be by motion. Motions shall state the relief sought, the authority relied upon, and the facts alleged, and shall be filed with hearing clerk and served on all other parties.

(b) Except for motions made during a prehearing conference or at the hearing, all motions shall be in writing. The presiding officer may require that oral motions be reduced to writing.

(c) Within 15 days after a written motion is served, or such other time as may be fixed by the presiding officer, any party may file a response to such motion.

(d) The presiding officer may not grant a written motion before the time for filing responses thereto has expired, except upon consent of the parties or following a hearing on the motion, but may overrule or deny such motion without awaiting a response.

(e) The presiding officer shall make a reasonable effort to dispose of all outstanding motions prior to the beginning of the hearing.

§ 27.29 Sanctions.

(a) The presiding officer may sanction a person, including any party or representative for—

(1) Failing to comply with an order, rule, or procedure governing the proceeding;

(2) Failing to prosecute or defend an action; or

(3) Engaging in other misconduct that interferes with the speedy, orderly, or fair conduct of the hearing.

(b) Any such sanction, including but not limited to those listed in paragraphs (c), (d), and (e) of this section, shall reasonably relate to the severity and nature of the failure or misconduct.

(c) When a party fails to comply with an order, including an order for taking a deposition, the production of evidence within the party's control, or a request for admission, the presiding officer may—

(1) Draw an inference in favor of the requesting party with regard to the information sought;

(2) In the case of requests for admission, deem each matter of which an admission is requested to be admitted;

(3) Prohibit the party failing to comply with such order from introducing evidence concerning, or otherwise relying upon, testimony relating to the information sought; and

(4) Strike any part of the pleadings or other submissions of the party failing to comply with such request.

(d) If a party fails to prosecute or defend an action under this Part commenced by service of a notice of hearing, the presiding officer may dismiss the action or may issue an initial decision imposing penalties and assessments.

(e) The presiding officer may refuse to consider any motion, request, response, brief or other document which is not filed in a timely fashion.

§ 27.30 The hearing and burden of proof.

(a) The presiding officer shall conduct a hearing on the record in order to determine whether the defendant is liable for a civil penalty or assessment under § 27.3 and, if so, the appropriate amount of any such civil penalty or assessment considering any aggravating or mitigating factors.

(b) The Authority shall prove defendant's liability and any aggravating factors by a preponderance of the evidence.

(c) The defendant shall prove any affirmative defenses and any mitigating factors by a preponderance of the evidence.

(d) The hearing shall be open to the public unless otherwise ordered by the presiding officer for good cause shown.

§ 27.31 Determining the amount of penalties and assessments.

(a) In determining an appropriate amount of civil penalties and assessments, the presiding officer and the authority head, upon appeal, should evaluate any circumstances that mitigate or aggravate the violation and should articulate in their opinions the reasons that support the penalties and assessments they impose. Because of the intangible costs of fraud, the expense of investigating such conduct, and the need to deter others who might be similarly tempted, ordinarily double damages and a significant civil penalty should be imposed.

(b) Although not exhaustive, the following factors are among those that may influence the presiding officer and the authority head in determining the amount of penalties and assessments to impose with respect to the misconduct (*i.e.*, the false, fictitious, or fraudulent claims or statements) charged in the complaint:

(1) The number of false, fictitious, or fraudulents claims or statements;

(2) The time period over which such claims or statements were made;

(3) The degree of the defendant's culpability with respect to the misconduct;

(4) The amount of money or the value of the property, services, or benefit falsely claimed;

(5) The value of the Government's actual loss as a result of the misconduct, including foreseeable consequential damages and the costs of investigation;

(6) The relationship of the amount imposed a civil penalties to the amount of the Government's loss;

(7) The potential or actual impact of the misconduct upon national defense, public health or safety, or public confidence in the management of Government programs and operations, including particularly the impact on the intended beneficiaries of such programs;

(8) Whether the defendant has engaged in a pattern of the same or similar misconduct;

(9) Whether the defendant attempted to conceal the misconduct;

(10) The degree to which the defendant has involved others in the misconduct or in concealing it;

(11) Where the misconduct of employees or agents is imputed to the defendant, the extent to which the defendant's practices fostered or attempted to preclude such misconduct;

(12) Whether the defendant cooperated in or obstructed an investigation of the misconduct;

(13) Whether the defendant assisted in identifying and prosecuting other wrongdoers;

(14) The complexity of the program or transaction, and the degree of the defendant's sophistication with respect to it, including the extent of the defendant's prior participation in the program or in similar transactions;

(15) Whether the defendant has been found, in any criminal, civil, or administrative proceeding to have engaged in similar misconduct or to have dealt dishonestly with the Government of the United States or of a State, directly or indirectly; and

(16) The need to deter the defendant and others from engaging in the same or similar misconduct.

(c) Nothing in this section shall be construed to limit the presiding officer or the authority head from considering any other factors that in any given case may mitigate or aggravate the offense for which penalties and assessments are imposed.

§ 27.32 Location of hearing.

(a) The hearing may be held—

(1) In any judicial district of the United States in which the defendant resides or transacts business;

(2) In any judicial district of the United States in which the claim or statement in issue was made; or

(3) In such other place as may be agreed upon by the defendant and the presiding officer.

(b) Each party shall have the opportunity to present argument with respect to the location of the hearing.

(c) The hearing shall be held at the place and at the time ordered by the presiding officer.

§ 27.33 Witnesses.

(a) Except as provided in paragraph (b) of this section, testimony at the hearing shall be given orally by witnesses under oath or affirmation.

(b) At the discretion of the presiding officer, testimony may be admitted in the form of a written statement or deposition. Any such written statement must be provided to all other parties along with the last know address of such witness, in a manner which allows sufficient time for other parties to subpoena such witness for cross-examination at the hearing. Prior written statements of witnesses proposed to testify at the hearing and deposition transcripts shall be exchanged as provided in § 27.22(a).

(c) The presiding officer shall excercise reasonable control over the mode and order of interrogating witnesses and presenting evidence so as to—

(1) Make the interrogation and presentation effective for the ascertainment of the truth, (2) Avoid needless consumption of time, and (3) Protect witnesses from harassment or undue embarrassment.

(d) The presiding officer shall permit the parties to conduct such cross-examination as may be required for a full and true disclosure of the facts.

(e) At the discretion of the presiding officer, a witness may be cross-examined on matters relevant to the proceeding without regard to the scope of his or her direct examination. To the extent permitted by the presiding officer, cross-examination on matters outside the scope of direct examination shall be conducted in the manner of direct examination and may proceed by leading questions only if the witness is a hostile witness, an adverse party, or a witness identified with an adverse party.

(f) Upon motion of any party, the presiding officer shall order witnesses excluded so that they cannot hear the testimony of other witnesses. This rule does not authorize exclusion of—

(1) A party who is an individual;

(2) In the case of a party that is not an individual, an officer or employee of the party appearing for the entity *pro se* or designated by the party's representative; or

(3) An individual whose presence is shown by a party to be essential to the presentation of its case, including an individual employed by the Government engaged in assisting the representative for the Government.

§ 27.34 Evidence.

(a) The presiding officer shall determine the admissibility of evidence.

(b) Except as provided in this Part, the presiding officer shall not be bound by the Federal Rules of Evidence. However, the presiding officer may apply the Federal Rules of Evidence when appropriate, *e.g.*, to exclude unreliable evidence.

(c) The presiding officer shall exclude irrelevant and immaterial evidence.

(d) Although relevant, evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or by consideration of undue delay or needless presentation of cumulative evidence.

(e) Although relevant, evidence may be excluded if it is privileged under Federal law.

(f) Evidence concerning offers of compromise or settlement shall be inadmissible to the extent provided in Rule 408 of the Federal Rules of Evidence.

(g) The presiding officer shall permit the parties to introduce rebuttal witnesses and evidence.

(h) All documents and other evidence offered or taken for the record shall be open to examination by all parties, unless otherwise ordered by the presiding officer pursuant to § 27.24.

§ 27.35 The record.

(a) The hearing will be recorded and transcribed. Transcripts may be obtained following the hearing from the hearing clerk at a cost not to exceed the actual cost of duplication.

(b) The transcript of testimony, exhibits and other evidence admitted at the hearing, and all papers and requests filed in the proceeding constitute the record for the decision by the presiding officer and the authority head.

(c) The record may be inspected and copied (upon payment of a reasonable fee) by anyone, unless otherwise ordered by the presiding officer pursuant to § 27.24.

§ 27.36 Post-hearing briefs.

The presiding officer may require the parties to file post-hearing briefs. In any event, any party may file a post-hearing brief. The presiding officer shall fix the time for filing such briefs, not to exceed 60 days from the date the parties receive the transcript of the hearing or, if applicable, the stipulated record. Such briefs may be accompanied by proposed findings of fact and conclusions of law. The presiding officer may permit the parties to file responsive briefs.

§ 27.37 Initial decision.

(a) The presiding officer shall issue an initial decision based only on the record. The decision shall contain findings of fact, conclusions of law, and the amount of any penalties and assessments imposed.

(b) The findings of fact shall include a finding on each of the following issues:

(1) Whether the claims or statements identified in the complaint, or any portions thereof, violate § 27.3;

(2) If the person is liable for penalties or assessments, the appropriate amount of any such penalties or assessments considering any mitigating or aggravating factors that he or she finds in the case, such as those described in § 27.31.

(c) The presiding officer shall promptly serve the initial decision on all parties within 90 days after the time for submission of post-hearing briefs and responsive briefs (if permitted) has expired. The presiding officer shall at the same time serve all parties with a statement describing the right of any defendant determined to be liable for a civil penalty or assessment to file a motion for reconsideration or a notice of appeal. If the presiding officer fails to meet the deadline contained in this paragraph, he or she shall notify the parties of the reason for the delay and shall set a new deadline.

(d) Unless the initial decision of the presiding officer is timely appealed to the authority head, or a motion for reconsideration of the initial decision is timely filed, the initial decision shall constitute the final decision of the authority head and shall be final and binding on the parties 30 days after it is issued by the presiding officer.

§ 27.38 Reconsideration of initial decision.

(a) Except as provided in paragraph (d) of this section, any party may file a motion for reconsideration of the initial decision within 20 days of receipt of the initial decision. If service was made by mail, receipt will be presumed to be five days from the date of mailing in the absence of contrary proof.

(b) Every such motion must set forth the matters claimed to have been erroneously decided and the nature of the alleged errors. Such motion shall be accompanied by a supporting brief.

(c) Responses to such motions shall be allowed only upon request of the presiding officer.

(d) No party may file a motion for reconsideration of an initial decision that has been revised in response to a previous motion for reconsideration.

(e) The presiding officer may dispose of a motion for reconsideration by denying it or by issuing a revised initial decision.

(f) If the presiding officer denies a motion for reconsideration, the initial decision shall constitute the final decision of the authority head and shall be final and binding on the parties 30 days after the presiding officer denies the motion, unless the initial decision is timely appealed to the authority head in accordance with § 27.39.

(g) If the presiding officer issues a revised initial decision, that decision shall constitute the final decision of the authority head and shall be final and binding on the parties 30 days after it is issued, unless it is timely appealed to the authority head in accordance with § 27.39.

§ 27.39 Appeal to authority head.

(a) Any defendant who has filed a timely answer and who is determined in an initial decision to be liable for a civil penalty or assessment may appeal such decision to the authority head by filing a notice of appeal with the hearing clerk in accordance with this section.

(b)(1) A notice of appeal may be filed at any time within 30 days after the presiding officer issues an initial decision. However, if another party files a motion for reconsideration under § 27.38, consideration of the appeal shall be stayed automatically pending resolution of the motion for reconsideration.

(2) If a motion for reconsideration is timely filed, a notice of appeal may be filed within 30 days after the presiding officer denies the motion or issues a revised initial decision, whichever applies.

(3) The authority head may extend the initial 30 day period for an additional 30 days if the defendant files a request for an extension within the initial 30 day period and shows good cause.

(c) If the defendant files a timely notice of appeal, and the time for filing motions for reconsideration under § 27.38 has expired, the presiding officer shall forward the record of the proceeding to the authority head.

(d) A notice of appeal shall be accompanied by a written brief specifying exceptions to the initial decision and reasons supporting the exceptions.

(e) The representative for the Government may file a brief in opposition to exceptions within 30 days of receiving the notice of appeal and accompanying brief.

(f) There is no right to appear personally before the authority head.

(g) There is no right to appeal any interlocutory ruling by the presiding officer.

(h) In reviewing the initial decision, the authority head shall not consider any objection that was not raised before the presiding officer unless a demonstration is made of extraordinary circumstances causing the failure to raise the objection.

(i) If any party demonstrates to the satisfaction of the authority head that additional evidence not presented at such hearing is material and that there were reasonable grounds for the failure to present such evidence at such hearing, the authority head shall remand the matter to the presiding officer for consideration of such additional evidence.

(j) The authority head may affirm, reduce, reverse, compromise, remand, or settle any penalty or assessment, determined by the presiding officer in any initial decision.

(k) The authority head shall promptly serve each party to the appeal with a copy of the decision of the authority head and a statement describing the right of any person determined to be liable for a civil penalty or assessment to seek judicial review.

(l) Unless a petition for review is filed as provided in 31 U.S.C. 3805 after a defendant has exhausted all administrative remedies under this Part and within 60 days after the date on which the authority head serves the defendant with a copy of the authority head's decision, a determination that a defendant is liable under § 27.3 is final and is not subject to judicial review.

§ 27.40 Stays ordered by the Department of Justice.

If at any time the Attorney General or an Assistant Attorney General designated by the Attorney General transmits to the authority head a written finding that continuation of the administrative process described in this Part with respect to a claim or statement may adversely affect any pending or potential criminal or civil action related to such claim or statement, the authority head shall stay the process immediately. The authority head may order the process resumed only upon receipt of the written authorization of the Attorney General.

§ 27.41 Stay pending appeal.

(a) An initial decision is stayed automatically pending disposition of a motion for reconsideration or of an appeal to the authority head.

(b) No administrative stay is available following a final decision of the authority head.

§ 27.42 Judicial review.

Section 3805 of title 31, United States Code, authorizes judicial review by an appropriate United States District Court of a final decision of the authority head imposing penalties or assessments under this Part and specifies the procedures for such review.

§ 27.43 Collection of civil penalties and assessments.

Sections 3806 and 3808(b) of title 31, United States Code, authorize actions for collection of civil penalties and assessments imposed under this Part and specify the procedures for such actions.

§ 27.44 Right to administrative offset.

The amount of any penalty or assessment which has become final, or for which a judgment has been entered under § 27.42 or § 27.43, or any amount agreed upon in a compromise or settlement under § 27.46, may be collected by administrative offset under 31 U.S.C. 3716, except that an administrative offset may not be made under this section against a refund of an overpayment of Federal taxes, then or later owing by the United States to the defendant.

§ 27.45 Deposit in Treasury of United States.

All amounts collected pursuant to this Part shall be deposited as miscellaneous receipts in the Treasury of the United States, except as provided in 31 U.S.C. 3806(g).

§ 27.46 Compromise or settlement.

(a) Parties may make offers of compromise or settlement at any time.

(b) The reviewing official has the exclusive authority to compromise or settle a case under this Part at any time after the date on which the reviewing official is permitted to issue a complaint and before the date on which the presiding officer issues an initial decision.

(c) The authority head has exclusive authority to compromise or settle a case under this Part at any time after the date on which the presiding officer issues an initial decision, except during the pendency of any review under § 27.42 or during the pendency of any action to

collect penalties and assessments under § 27.43.

(d) The Attorney General has exclusive authority to compromise or settle a case under this Part during the pendency of any review under § 27.42 or of any action to recover penalties and assessments under 31 U.S.C. 3806.

(e) The investigating official may recommend settlement terms to the reviewing official, the authority head, or the Attorney General, as appropriate. The reviewing official may recommend settlement terms to the authority head, or the Attorney General, as appropriate.

(f) Any compromise or settlement must be in writing.

§ 27.47 Limitations.

(a) The notice of hearing with respect to a claim or statement must be served in the manner specified in § 27.8 within 6 years after the date on which such claim or statement is made.

(b) If the defendant fails to file a timely answer, service of a notice under § 27.10(b) shall be deemed a notice of hearing for purposes of this section.

(c) The statute of limitations may be extended by agreement of the parties.

§ 27.48 Delegated functions.

The Administrator may delegate to a judicial officer, all or part of his authority to act in a given proceeding. This delegation does not prevent the judicial officer from referring any matter to the Administrator when appropriate.

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This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone 202–275–3030).

H.R. 799/Pub. L. 100–150

To designate a segment of the Kings River in California as a wild and scenic river, and for other purposes. (Nov. 3, 1987; 101 Stat. 881; 3 pages) Price: $1.00

H.R. 2893/Pub. L. 100–151

To reauthorize the Fishermen's Protective Act. (Nov. 3, 1987; 101 Stat. 884; 1 page) Price: $1.00

H.R. 3325/Pub. L. 100–152

To designate the segment of Corridor V in the State of Alabama as the Robert E. (Bob) Jones, Jr. Highway. (Nov. 3, 1987; 101 Stat. 885; 1 page) Price: $1.00

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